

Draft
Mitigated Negative
Declaration and
Expanded Initial Study
for
**BAILEY RANCH
PROJECT**

city pl - Ca - Hayward

INSTITUTE OF GOVERNMENTAL
STUDIES LIBRARY

OCT 22 1997

UNIVERSITY OF CALIFORNIA

City of Hayward
Department of Community
and Economic Development
Development Review Services Division
September 24, 1997

Table of Contents

Mitigated Negative Declaration	1
Expanded Initial Study and Checklist	6
Attachment A	
Supplemental Environmental Assessment	12

THIS PAGE INTENTIONALLY LEFT BLANK

CITY OF HAYWARD
DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT
Development Review Services Division

D R A F T
MITIGATED NEGATIVE DECLARATION

Notice is hereby given that the City of Hayward finds that no significant effect on the environment as prescribed by the California Environmental Quality Act of 1970, as amended will occur for the following proposed project:

I. PROJECT DESCRIPTION: BAILEY RANCH PROPERTY

Keenan Land Company (applicant) proposes to develop the Bailey Ranch property with 135 single-family dwellings and associated street and infrastructure improvements. The average lot size would exceed 11,000 square feet. Approximately 54 acres (14 percent) of the total 391-acre property are proposed for development. The remaining 337 acres (86 percent) would be preserved as natural open space under common and public ownership. The following actions are required:

- **Specific Plan Amendment No. 95-210-02:** Amend policies in the Walpert Ridge Specific Plan to: 1) increase the housing capacity for the property from a maximum of 116 units to 135 units (increase of approximately 16 percent); 2) allow for 130 padded lots, and 5 limited padded lots, instead of a combination of sloped, limited padded, and padded lots; 3) allow an on-site passive neighborhood park with in-lieu fees instead of an on-site active park; and 4) allow an emergency vehicle access instead of a public street connection to Hayward Boulevard through the adjacent Hayward 1900 property.
- **Zone Change Application No. 95-120-01:** Rezone from AG (Agricultural) to PD (Planned Development) and approve the Preliminary Development Plan for the proposal.
- **Vesting Tentative Map Tract 6169:** Subdivide five parcels (total 391 \pm acres) into 135 lots, ranging in size from 8,240 \pm square feet to 18,700 \pm square feet, with a remaining 337 \pm acres to remain as open space. (The five lots that are less than 9,000 square feet abut open space areas.)

II. PROJECT LOCATION:

The project site is located in the City of Hayward south of Hayward Boulevard, east of Plumas Court, and northeast of Garin Regional Park. The property is located within a larger 2,160-acre area that is governed by the Walpert Ridge Specific Plan, adopted by City Council on July 25, 1995. The proposed single-family lots would be located on the northern portion of the property closest to Hayward Boulevard. The southernmost lot would be located approximately 3,000 feet from Hayward Boulevard.

III. *FINDING PROJECT WILL NOT SIGNIFICANTLY AFFECT ENVIRONMENT:*

That the proposed project, as conditioned, will not have a substantial effect on the area's resources, cumulative or otherwise.

IV. *FINDINGS SUPPORTING DECLARATION:*

1. In accordance with the California Environmental Quality Act (CEQA) and State and City CEQA Guidelines, an Expanded Initial Study has been prepared for the proposed project. The Expanded Initial Study has determined that the proposed project, with the applicable mitigation measures in the Program EIR and additional recommended mitigation measures, could not result in significant effects on the environment beyond those already discussed in the Program EIR.
2. The proposed project substantially conforms to the City's General Plan designation for the property, consisting of Residential, Suburban Density, and Open Space, Parks and Recreation, and substantially conforms with applicable policies for the Walpert Ridge area.
3. The proposed project substantially conforms to the Walpert Ridge Specific Plan, provided that the requested amendments regarding lot type, additional units, a passive local park site with in-lieu fees, and an emergency vehicle lane instead of a second public street connection are approved by the City.
4. With the implementation of recommended mitigation measures to address slope stability, soils, seismicity, erosion and siltation, and water quality, the proposed project will not result in significant geologic, hydrologic, or water quality impacts.
5. The proposed project will not result in additional construction or post-construction air quality impacts beyond those already identified in the Program EIR.
6. With mitigation measures to dedicate a substantial portion of the site as permanent open space to preserve wetlands and to preserve and enhance habitat for the Alameda whipsnake and other wildlife species, and to replace and native trees, the proposed project will not have a significant effect on biological resources.

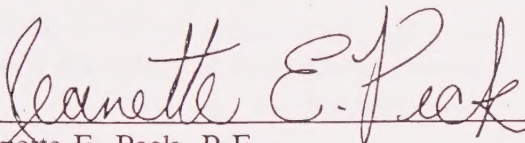
Draft Mitigated Negative Declaration - Keenan Land Company, Bailey Ranch Property

7. The proposed project will not expose existing and future residents to significant wildfire hazards provided that: 1) a fuel management zone and plan is defined around the perimeter of the project; 2) fire protection standards (including Uniform Fire Code) are incorporated into the design of the dwellings; 3) adequate fire access is provided to the project and surrounding open space; and, 4) the developer provides funds for a Type III fire engine and modifications to Fire Station No. 5 to assist in combating wildfires or reimburses an earlier developer.
8. The proposed project will not have a significant effect on the off-site transportation system provided that the developer pays his/her proportional share of the cost of the transportation improvements identified in The Site Traffic Analysis/Walpert Ridge Development, Scenario 2 prior to the recordation of the first final map, and that the developer pays his/her proportional share of the cost of the transportation improvements identified in The Site Traffic Analysis/Walpert Ridge Development, Scenario 3 if a Route 238 freeway agreement is not executed prior to January 1, 2000, and pays \$1,200 contribution per unit at the time certificate of occupancy is issued for each unit.
9. The proposed project will not have a significant effect on fire or police protection services provided that the recommended mitigation measures are implemented to provide adequate service for the development.
10. The proposed project will not have a significant effect on school facilities provided that school mitigation fees will be paid by the developer in accordance with the executed agreement with the Hayward Unified School District (HUSD) and temporary facilities will be available to accommodate the new students from the project until a new elementary school is constructed.
11. The proposed project will not have a significant impact on local and regional park facilities provided that a 2.8 acre minimum passive park is dedicated, park dedication in-lieu fees are paid to the City, grading easements are provided to allow for grading level playing fields on the adjacent property and the requirements of the Hayward Area Recreation and Park District and East Bay Regional Park District are satisfied.
12. The proposed project will not have a significant impact on the City's water distribution, wastewater collection, or stormwater collection systems provided that: 1) the developer contributes to the off-site infrastructure improvements which have been identified as necessary for development on Walpert Ridge, including in Analysis of Water Facilities for the Proposed Walpert Ridge Development Including Blue Rock Country Club Project; and, 2) the developer provides on-site infrastructure improvements which comply with City standards, including NPDES requirements.

Draft Mitigated Negative Declaration - Keenan Land Company, Bailey Ranch Property

13. The proposed project, with the recommended mitigation measures, will not have a significant effect on the existing on-site FAA facility.
14. The project will not result in additional energy impacts beyond those that are already fully discussed in the Program EIR.
15. With incorporation of the recommended architectural design controls, buffer landscaping, limits on depth of padded lots, and contour grading techniques to reduce the potential negative perception of graded slopes and dwellings, the visual impact of the proposed project will be mitigated to an insignificant level.
16. With implementation of the mitigation measures recommended by the project archaeologist, the proposed project will not have a significant effect on prehistoric or historic cultural resources.

V. PERSON WHO PREPARED EXPANDED INITIAL STUDY:



Jeanette E. Peck, P.E.
Development Review Services Engineer

Dated: September 24, 1997

VI. COPY OF EXPANDED INITIAL STUDY IS ATTACHED:

For additional information, please contact the City of Hayward, 25151 Clawiter Road, Hayward, California 94545-2759, or telephone the City Clerk at (510) 293-5306.

Distribution

- Provide copies to all organizations and individuals requesting same in writing.
- Send to project applicants.
- Reference in all public hearing notices to be distributed 20 days in advance of initial public hearing and/or publish once in Daily Review (20 days prior to hearing if no other public notice, otherwise 10 days; reference in all Notices of Decision distributed 20 days prior to effective date of decision.)

Draft Mitigated Negative Declaration - Keenan Land Company, Bailey Ranch Property

Posting

This Notice is to be posted for a period of at least 20 days upon receipt:

1. At the City Clerk's office.
2. On the main City Hall bulletin board.
3. In the City Library branches.

CITY OF HAYWARD
DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT
Development Review Services Division
25151 Clawiter Road
Hayward, California 94545-2759
Telephone No.: (510) 293-5414
FAX No.: (510) 293-5108
TDD No.: (510) 293-1590

EXPANDED INITIAL STUDY

GENERAL INFORMATION:

Applicant: Keenan Land Company
700 Emerson Street
Palo Alto, CA 94301

Owner: First American Title Guaranty Company
6681 Owens Drive
Pleasanton, CA 94588

Person Preparing Initial Study: Jeanette E. Peck, Development Review Services Engineer
Telephone No.: (510) 293-5414

PROJECT DESCRIPTION: BAILEY RANCH PROPERTY

Keenan Land Company (applicant) proposes to develop the Bailey Ranch property with 135 single-family dwellings and associated street and infrastructure improvements. The average lot size would exceed 11,000 square feet. Approximately 54 acres (14 percent) of the total 391-acre property are proposed for development. The remaining 337 acres (86 percent) would be preserved as natural open space under common and public ownership. (Refer to Maps B and C.) The following actions are required:

- **Specific Plan Amendment No. 95-210-02:** Amend policies in the Walpert Ridge Specific Plan to: 1) increase the housing capacity for the property from a maximum of 116 units to 135 units (increase of approximately 16 percent); 2) allow for 130 padded lots and 5 limited padded lots instead of a combination of sloped, limited padded, and padded lots; 3) allow an on-site passive neighborhood park instead of an on-site active park; and 4) allow an emergency vehicle access instead of a public street connection to Hayward Boulevard through the adjacent Hayward 1900 property.
- **Zone Change Application No. 95-120-01:** Rezone from AG (Agricultural) to PD (Planned Development) and approve the Preliminary Development Plan for the proposal.
- **Vesting Tentative Map Tract 6169:** Subdivide five parcels (total 391± acres) into 135 lots, ranging in size from 8,240± square feet to 18,700± square feet, with a remaining 337± acres to remain as open space. (The five lots that are less than 9,000 square feet abut open space areas.)

The project site is located in the City of Hayward south of Hayward Boulevard, east of Plumas Court, and northeast of Garin Regional Park. (Refer to Attached Map A.) The property is located within a larger 2,160-acre area that is governed by the Walpert Ridge Specific Plan, adopted by City Council on July 25, 1995. The proposed single-family lots would be located on the northern portion of the property closest to Hayward Boulevard. The southernmost lot would be located approximately 3,000 feet from Hayward Boulevard.

ENVIRONMENTAL SETTING:

The project site is primarily defined by an undulating north-south trending ridge rising from approximately 1,100 feet near Hayward Boulevard to approximately 1,300 feet at its highest point, which is referred to in the Walpert Ridge Specific Plan as Bay Trees Knoll. The ridgetop areas are characterized by undulating slopes, annual grasses, and scattered rock outcroppings. These grassland areas are presently used for cattle-grazing. Development is proposed along the northern portion of the ridge where grades vary from 0 to 25 percent. The slopes surrounding the ridgetop are characterized by oak woodland vegetation and coastal scrub vegetation (primarily coyote brush and sagebrush). These slopes are quite steep with grades typically exceeding 25 percent. The property is located in the upper reaches of the Dry Creek and Ziele Creek watersheds, which drain toward Garin Regional Park.

Private improvements on the property consist of an old wood barn located near Hayward Boulevard, dirt service roads, and barbed wire fencing. A Federal Aviation Administration (FAA) microwave repeater facility is located on a leasehold near Hayward Boulevard. This facility supports six airports, including the Hayward Air Terminal, and has a building for the East Bay Municipal Utilities District.

Located to the west of the project site are existing single-family homes on Plumas Court and Skyline Drive. Located to the north across Hayward Boulevard and Fairview Avenue is the Prominence subdivision, a 152-unit single-family project recently completed by The Presley Companies. Located to the east is property owned by Hayward 1900 and the Roman Catholic Diocese of Oakland, on which a 650-unit residential development with an 18-hole golf course is proposed, which includes a site for a new elementary school at Hayward Boulevard and Fairview Avenue. To the southwest to southeast of the project site is Garin Regional Park, owned by the East Bay Regional Park District.

PROGRAM ENVIRONMENTAL IMPACT REPORT:

A Program Environmental Impact Report (EIR) for the Walpert Ridge Specific Area Plan (SAP) was certified by the City of Hayward on September 24, 1991, which covers the subject property. The Program EIR evaluates the potential environmental impacts of various levels of development on Walpert Ridge. Four development options were evaluated ranging from 500 units to 1,800 single-family units. Additionally, several options for the geographic location of development were considered in combination with the range of potential units. Possible environmental impacts and recommended mitigation measures were identified for each development scenario. This Program EIR should be referred to for a more comprehensive discussion of the environmental setting. (A copy of the Program EIR is on file at the City of Hayward, Department of Community and Economic Development, Development Review Services Division.)

The Program EIR concluded that the following unavoidable cumulatively significant impacts would result from the development of 500 to 1,800 residential units on Walpert Ridge:

- "The project would contribute to the cumulative loss of agricultural land in the Hayward Hills area. (All alternatives)."
- "Cumulative contribution to regional air quality effects. (All alternatives)."
- "Substantial amount of energy would be committed for project area development and operations. (All alternatives)."
- "Contribute to cumulative loss of large predator (golden eagle, mountain lion, bobcat) habitat in the project area. (1,800-unit Alternative only - does not apply to Bailey Ranch property.)"

The Program EIR further concluded that the development alternative would result in the following environmental effects, although the impacts could be reduced to a level of insignificance with the mitigation measures identified in the Program EIR:

- "Cumulative and project traffic impacts that would lead to a LOS E or F would be significant, unless mitigated as outlined under, C. Transportation. (All alternatives)."
- "Public service impacts would create demand for additional fire, police, school services, and additional infrastructure to handle the demand for water and the need for additional wastewater capacity, which would be significant, unless mitigated as outlined under, D. Public Services and Utilities. (All alternatives)."
- "Archaeological resources are potentially significant resources and their loss would be irreversible, unless mitigated as outlined under, F. Archaeological Resources were implemented. (All alternatives)."

- "There are rare and endangered vegetation and wildlife habitats that would be a significant loss, unless mitigated as outlined under, G. Vegetation and Wildlife. (All alternatives)."

Based on the findings in the Program EIR, the City adopted the SAP on September 24, 1991, that allowed for 500 housing units on Walpert Ridge, with a possible density bonus of 200 additional units. All housing was specified to be located within the 1.5-mile service area of Fire Station No. 5. A statement of overriding considerations was also adopted with regard to the unavoidable environmental impacts identified above.

On July 25, 1995, an Initial Study and Negative Declaration was adopted for amendments to the SAP pursuant to the California Environmental Quality Act (CEQA) and Section 15168 of the State CEQA Guidelines pertaining to subsequent environmental review for projects covered under a Program EIR. The City thereafter amended the SAP by adopting the Walpert Ridge Specific Plan. The Specific Plan allows up to 615 single-family lots on Walpert Ridge within 1.6-mile service area of Fire Station No. 5. It also includes additional development policies and design standards and guidelines for reviewing development proposals on Walpert Ridge.

ENVIRONMENTAL REVIEW FOR CURRENT PROPOSAL:

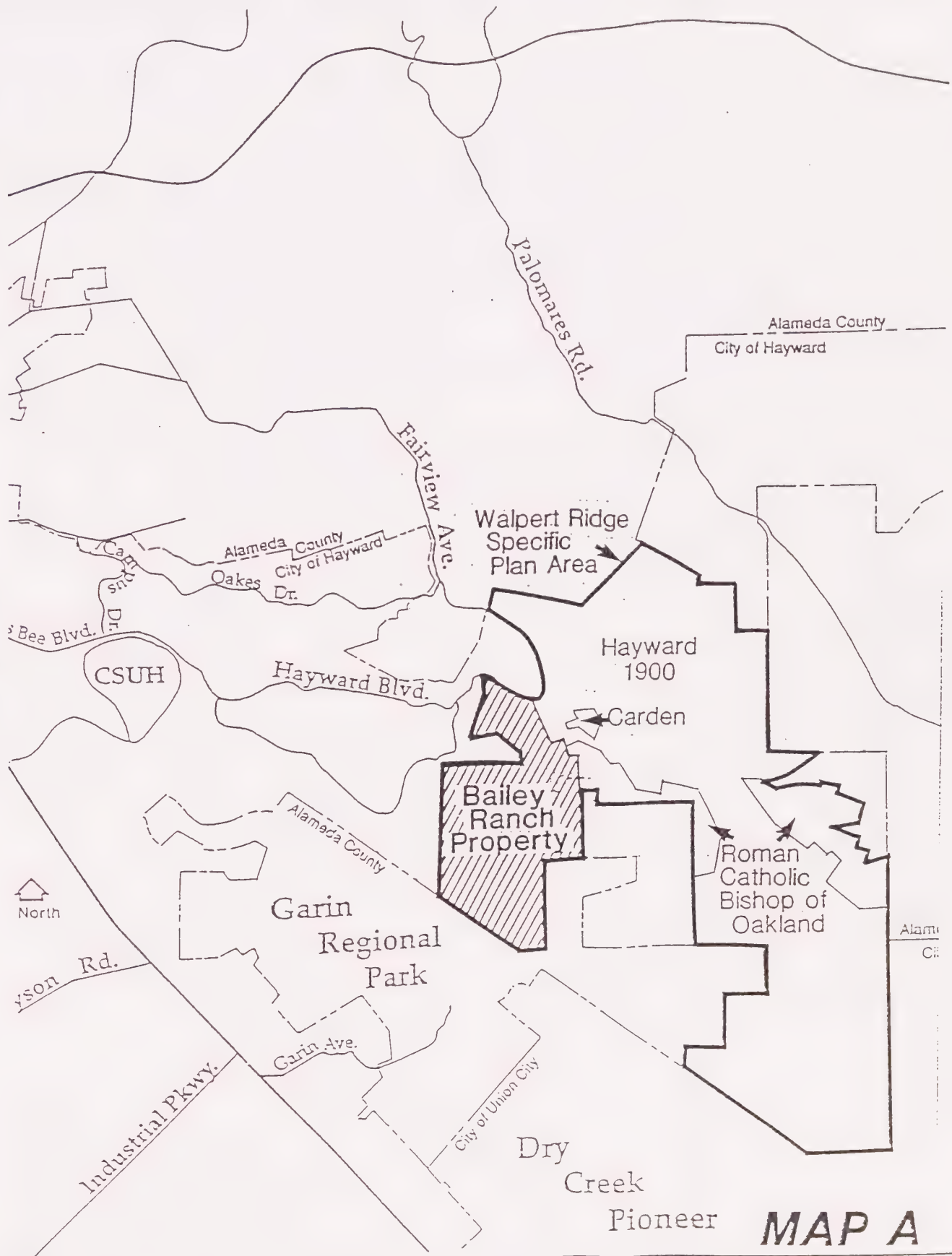
The Expanded Initial Study for this project has been prepared pursuant to Sections 15162 and 15168 of the State CEQA Guidelines. The 1991 Program EIR provides the basis for preparing this initial study and should be referred to for a more complete discussion of potential impacts. The purpose of this Expanded Initial Study is to fully evaluate potential impacts and to determine if a subsequent or supplemental environmental impact report will be required for the project, or if the project can be processed with a mitigated negative declaration. This Expanded Initial Study updates the Program EIR by further examining potential impacts based on new or additional environmental information and technical studies or surveys that have become available since the Program EIR was certified. Additionally, potential impacts are reevaluated with regard to new environmental regulations or standards and recent changes to applicable policies and plans.

The mitigation measures contained in the Program EIR would be incorporated into the conditions of approval for the project. The Program EIR anticipated that many of the mitigation measures would be further defined as specific development plans are processed. This Initial Study expands on the mitigation measures contained in the Program EIR, where appropriate. It also lists additional mitigation measures relating to potentially significant impacts which were not fully described in the Program EIR. (Refer to Attachment A, "Supplemental Environmental Assessment," for a discussion of project impacts and mitigations.)

The reports and plans that are referenced in this Expanded Initial Study are available for review at the City of Hayward, Department of Community and Economic Development, Development Review Services Division.

CONCLUSION:

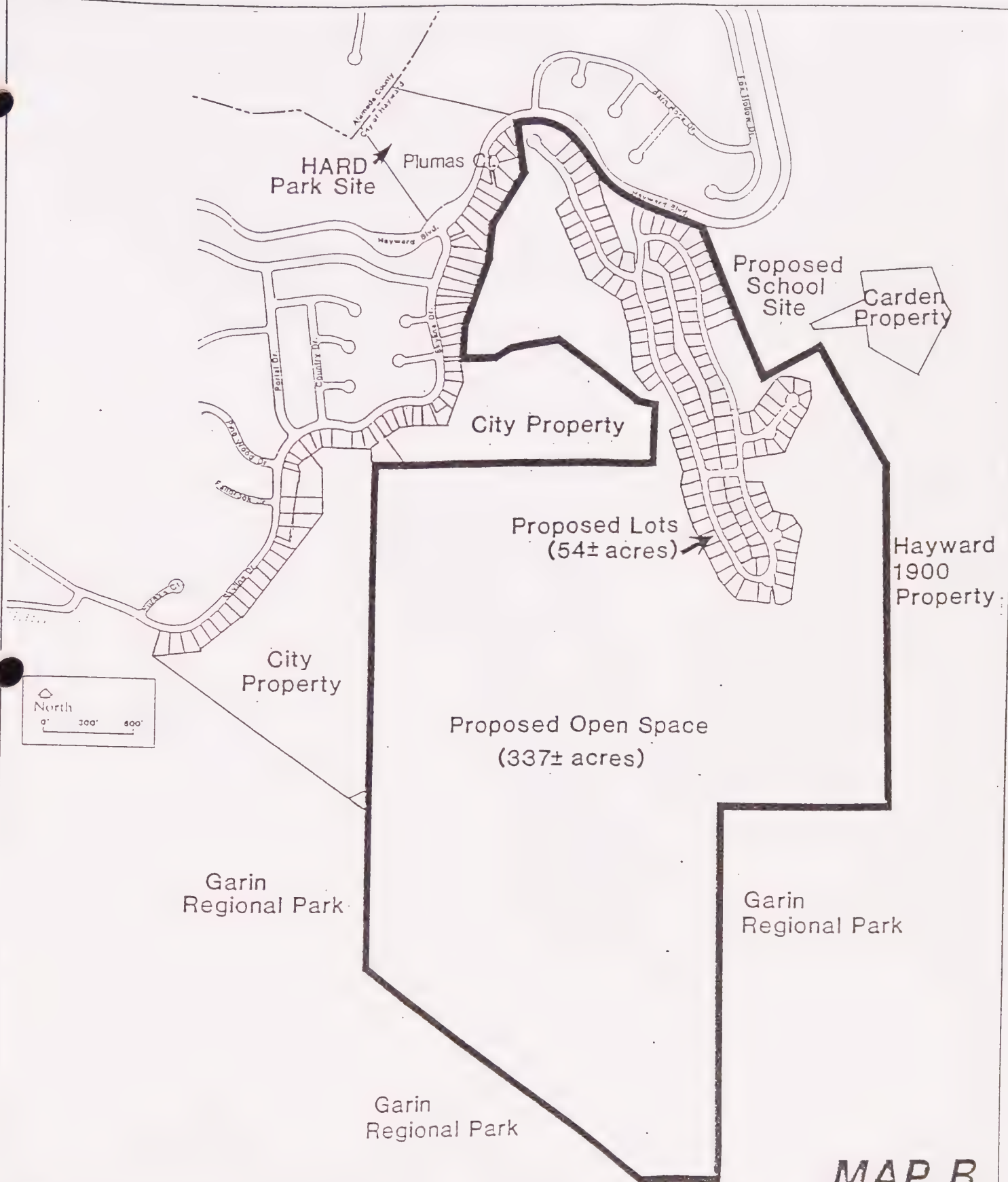
This Expanded Initial Study identifies project-specific environmental impacts beyond those evaluated in the Program EIR that could be significant unless sufficiently mitigated. Previously identified impacts are reexamined that may be affected by: recent changes in policies, plans, or regulations; changes in the project or project setting; or changes related to new information which has become available since the Program EIR was certified. Additional potential impacts pertain to: geology and grading, water quality and storm drainage (compliance with NPDES regulations), endangered or threatened wildlife species, wildfire hazards, schools, parks and recreation, the City's water distribution system and wastewater collection system, transportation and circulation, the FAA facility, and the visual quality of the proposed dwellings and grading. This Expanded Initial Study further concludes that these additional impacts can be mitigated to a level of insignificance through: project modifications; the inclusion of additional mitigation measures in the project as conditions of approval for the development entitlements; and the implementation and enforcement of a mitigation monitoring plan.



LOCATION MAP:

Specific Plan Amendment No. 95-210-02, Zone Change No. 95-120-01,
Vesting Tentative Tract Map 6169 ■ Keenan Land Co./First American Title Co.

THIS PAGE INTENTIONALLY LEFT BLANK

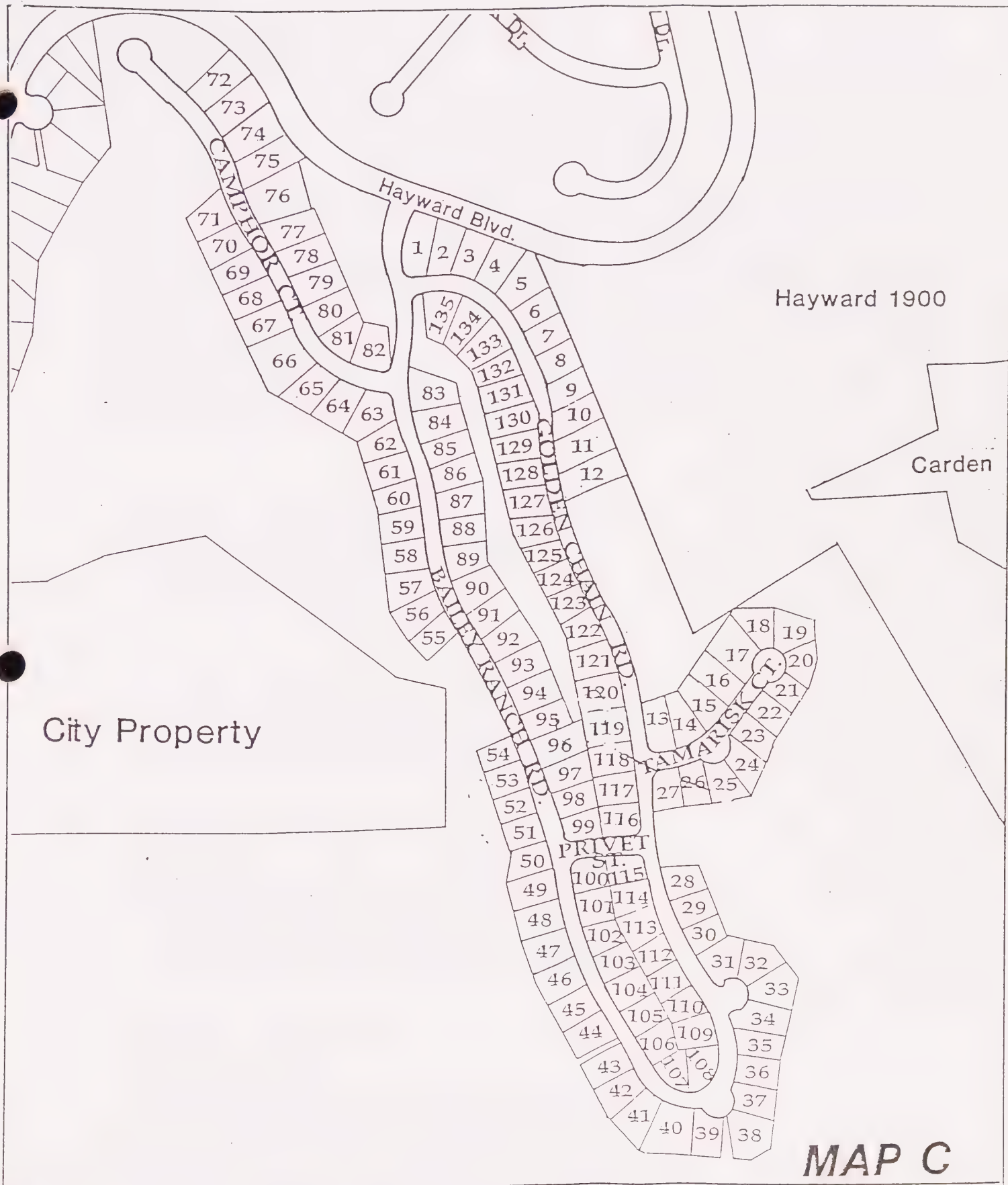


MAP B

PROJECT SITE: BAILEY RANCH PROPERTY

Specific Plan Amendment No. 95-210-02, Zone Change No. 95-120-01,
Vesting Tentative Tract Map 6169 ■ Keenan Land Co./First American Title Co.

THIS PAGE INTENTIONALLY LEFT BLANK



PROPOSED LOT AND STREET LAYOUT:
 Specific Plan Amendment No. 95-210-02, Zone Change No. 95-120-01,
 Vesting Tentative Tract Map 6169 ■ Keenan Land Co./First American Title Co.

THIS PAGE INTENTIONALLY LEFT BLANK

INITIAL STUDY CHECKLIST
POSSIBLE SIGNIFICANT ENVIRONMENTAL IMPACTS

"Yes" and "Maybe" responses generally indicate that: 1) additional project-specific impacts will or may occur beyond those identified in the Program EIR; 2) changes in the project or project setting will or may affect the impacts previously evaluated in the Program EIR; and/or 3) new information has become available since the Program EIR was certified which will or may affect the previously identified impacts. "No" responses indicate that no additional impacts have been identified for the project beyond those already discussed in the Program EIR. Attachment A discusses the potential environmental impacts from the proposed project. It also lists mitigation measures from the Program EIR which are applicable to the project and, when appropriate, recommends additional mitigation measures to reduce impacts to an insignificant level.

Yes Maybe No

1. **Geologic** (unstable earth conditions, changes in topography, increase in wind or water erosion, exposure of people or property to geologic hazards such as earthquakes, landslides.)

— X —

Comment: See Attachment A, pg. 12.

2. **Air Quality** (substantial air emissions, violation of any ambient air quality standard, a substantial contribution to an existing or projected air quality violation, creation of objectionable odors, or dust generation.)

— X —

Comment: See Attachment A, pg. 17.

3. **Water Quality** (increase in rate and amount of surface runoff, change in the amount of surface water in any water body or wetland, exposure of people or property to water-related hazards, such as flooding or contaminated water supply, including groundwater.)

— X —

Comment: See Attachment A, pg. 21.

4. **Biological Resources** (change in diversity or number of species; reduction in the numbers of any unique, rare, or endangered species, tree removal, result in a barrier to the migration or movements of animals, deterioration to fish and wildlife habitat, or create a barrier to the normal replenishment of existing species.)

— X —

Comment: See Attachment A, pg. 25.

Yes Maybe No

5. Noise Level (long-term or short-term exposure of people to noise levels exceeding City thresholds, and/or increase in existing noise levels for adjoining areas.)

— — X

Comment: See Attachment A, pg. 34.

6. Light and Glare (expose people to intensive light or glare.)

— — X

Comment: See Attachment A, pg. 36.

7. General Plan, Neighborhood Plans, and Adopted City Environmental Plans and Goals (conformity)

— X —

Comment: See Attachment A, pg. 37.

8. Natural Resources (increase in the rate of use of any natural resources, substantial depletion of any nonrenewable natural resource.)

— — X

Comment: See Attachment A, pg. 39.

9. Hazards (explosion, fire, hazardous substances)

— X —

Comment: See Attachment A, pg. 40.

10. Population (alter location, distribution, growth rate)

— — X

Comment: See Attachment A, pg. 42.

11. Housing (affect existing housing or create a demand for additional housing.)

— — X

Comment: See Attachment A, pg. 43.

12. Transportation/Circulation (generation of substantial additional vehicular trips, impact on existing parking facilities, impact upon existing transportation systems, create a vehicle or pedestrian hazard.)

— X —

Comment: See Attachment A, pg. 43.

Yes Maybe No

13. Public Service

- A. Fire Protection (new/expanded use in a high fire hazard area, substantial increase of expenditure for fire protection, exposure of people to hazardous wastes/materials.)

— X —

Comment: See Attachment A, pg. 50.

- B. Police Protection (substantial increase in expenditures for police protection.)

— — X

Comment: See Attachment A, pg. 52.

- C. Schools (substantial increase in number of school children in attendance area, aggravation of existing overcrowding problem, a negative impact on student access routes to/from school during normal working hours.)

— X —

Comment: See Attachment A, pg. 53.

- D. Parks and Recreation (substantial increase in the need for park and recreation resources.)

— X —

Comment: See Attachment A, pg. 56.

14. Utilities

- A. Water (lack of municipal water infrastructure, and/or substantial increase in potable water demand.)

— X —

Comment: See Attachment A, pg. 60.

- B. Sanitary Sewer (lack of municipal sanitary sewer infrastructure, and/or substantial increase in demand on municipal sanitary sewer treatment plant facilities.)

— — X

Comment: See Attachment A, pg. 65.

Yes Maybe No

- C. Solid Waste (substantial increase in demand on existing solid waste collection program(s) or facilities.)

— X —

Comment: See Attachment A, pg. 67.

- D. Storm Drainage (substantial increase in storm water run-off, aggravation of an identified drainage problem, or creation of a new drainage problem on-site or off-site.)

— X —

Comment: See Attachment A, pg. 68.

- E. Other Utilities (substantial effect on existing utilities or the demand for new utilities.)

— X —

Comment: See Attachment A, pg. 70.

15. Energy Use (use of substantial amounts of fuel or energy, increased demand upon existing sources of energy or the development of new energy sources.)

— — X

Comment: See Attachment A, pg. 71.

16. Aesthetics (obstruction of any scenic vista or view open to the public or the creation of an aesthetically offensive project open to public view.)

— X —

Comment: See Attachment A, pg. 73.

17. Cultural Resources (archaeological, historical, or restriction of existing religious or cultural uses within the potential impact area.)

— — X

Comment: See Attachment A, pg. 77.

Yes Maybe No

MANDATORY FINDINGS OF SIGNIFICANCE

- A. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Comment: The project will be able to mitigate impacts to endangered or threatened plant and wildlife species and habitats, and archaeological resources to a level of insignificance. (Refer to appropriate sections in Attachment A, "Supplemental Environmental Statement.")

— — X

- B. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one that occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future.)

— — X

- C. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.)

— — X

- D. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

— — X

DETERMINATION

On the basis of this initial evaluation:

It is found that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

It is found that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case if the mitigation measures listed in the Program EIR and Initial Study, Attachment A, are agreed to by the applicant. A MITIGATED NEGATIVE DECLARATION will be prepared.

It is found that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

Dated: September 24, 1997

Preparer: Jeanette E. Peck

Jeanette E. Peck, P.E.

Development Review Services Engineer

Attachment A

EXPANDED INITIAL STUDY SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT KEENAN LAND COMPANY: BAILEY RANCH PROPERTY

Specific Plan Amendment No. 95-210-02

Zone Change No. 95-120-01

Vesting Tentative Tract Map 6169

1. GEOLOGY & GRADING

Setting

The site is located in the Hamilton-Diablo Mountain Range in the Coast Range Province of Central California. To the west, the hills flatten out toward the San Francisco Bay, forming the relatively flat Warm Springs alluvial apron. Elevations range from 440± feet in the lower drainages to 1,200± feet on the ridgetop.

The bedrock in this area is the Franciscan Complex of Upper Jurassic to Cretaceous age (70 to 145 million years old). The predominant rock type exposed on this site is a massive, extensively jointed, medium to coarse-grained sandstone. In some areas, this unit is interbedded with thin layers of siltstone or claystone. Bedrock is exposed on the ridgetop, particularly near Hayward Boulevard.

A soil and geologic investigation of the site was performed by Applied Soil Mechanics in September 1989. (The 1989 report was reviewed by Earth Science Consultants on November 27, 1995. The consultant found no appreciable changes in soil or geologic conditions on the site since 1989, and the conclusions of the first report were still held to be valid.) The investigation revealed that several small, shallow, active landslides exist in the area where the lots are proposed. These slope failures are generally debris flows, earth flows, or earth slumps, with earth flows being the most common. Older landslides or earth flows are located on the steep west-facing slope west of the proposed single-family lots. These landslides are typically one to five feet deep and 300 feet in width or length. Most of the landslides and debris flows are associated with natural processes; however, man-made activities, such as over-grazing, have contributed to some of the slope failures. Several deep gullies exist on the site downslope of the debris flows.

The site is comprised of three soil types: Gaviota (dominant soil type), Los Gatos-Los Osos complex, and Millsholm soils. Permeability is moderate to rapid and the shrink/swell potential is low to moderate. Runoff varies from moderate to rapid and the erosion hazard is severe. The site is not considered prime farmland.

PROJECT LOCATION:

No active or potentially active faults pass through the site. Three active fault systems are known to exist within the site vicinity. The Hayward Fault poses the greatest risk for the site and is located approximately 1.5-miles to the southwest. The Calaveras Fault is located approximately 8-miles to the northeast. The San Andreas Fault is approximately 18 miles to the southwest.

Impacts

The project requires grading a large ridgetop area to create flat building pads for the proposed residential lots. As shown on the Preliminary Grading Plan for the Vesting Tentative Map, dated December 1996, approximately 60 acres of the site will be graded, with cuts or fills that will generally not exceed 30 feet. The remaining 330±-acres of the site or approximately 85 percent of the site will be undisturbed. Total earthwork is estimated at 692,000 cubic yards. Excess cut material will occur; but, to avoid the need to export the material, an on-site disposal area covering about six acres is proposed on the ridge south of the proposed lots. Approximately 160,000 cubic yards of excess cut material would be deposited at this location. The excess material would be compacted and contoured to blend in with the natural topography.

The Program EIR indicates that grading operations might require ripping and blasting because of the proximity of the bedrock to the surface. Further, grading and construction would require the removal of primarily grassland vegetation on sloping terrain, which could degrade water quality and increase the rate of on and off-site soil erosion and sedimentation. Another potential impact identified in the geotechnical report for the site prepared by Applied Soil Mechanics, Inc. (1989), pertains to slope instability from grading operations, vegetation removal, and altered drainage. If slopes are not properly engineered or drained, old landslides could be reactivated or new landslides or other slope failures could occur. Existing slope failures in the vicinity of the graded lots must also be eliminated or stabilized. Seismic activity could also trigger new landslides. Other grading-related impacts pertaining to aesthetics, air quality, and water quality are discussed in the other sections of this Expanded Initial Study.

Refer to Section 16, "Aesthetics," for a discussion of potential visual impacts related to grading.

Mitigation Measures

The preliminary soils and geologic report indicates that potential impacts can be mitigated by incorporating proper geotechnical design measures into grading, construction and building plans. Potential impacts relating to geology, soils, and seismicity can be sufficiently mitigated to a level of insignificance through full compliance with the following mitigation measures:

Per Program EIR:

Geology and Topography:

- a. In order to minimize erosion and alterations to topography, a certified engineering geologist or a registered geotechnical engineer should be employed to review and approve specific grading plans. All recommendations and grading alterations identified shall be included in the approved grading plan.
- b. Grading operations shall be restricted to the dry season between April and October to minimize erosion. In addition, soil surfaces exposed as a result of grading shall be stabilized and revegetated prior to the onset of the rainy season (i.e., mid-October).

Slope Stability:

- c. To the extent possible, the project shall be designed to balance cut and fill requirements to minimize the need for imported and exported fill.
- d. In order to protect homes, streets, and utility systems from damage due to landslides, a registered engineering geologist shall be employed to identify specific mitigation measures and remediation techniques in areas where slope stability is a concern. These mitigations measures shall be incorporated into the subdivision improvement plans.

Soils:

- e. To reduce the potential for damage due to the expansive and/or compressive soils, a certified engineering geologist or a registered geotechnical engineer shall be employed to identify the specific measures necessary to protect buildings, driveways, sidewalks, streets, parking areas, and utility networks. These measures could include:
 - Use of specifically designed pier-and-grade beam foundations.
 - Lime treatment of soils.

- Employment of flexible utility line materials and connectors where lines enter structures.
- Use of special design for driveways, sidewalk streets, and parking areas.
- Installation of specifically designed concrete mat foundations.
- Preconsolidation of compressible soils areas prior to their development.

Seismicity:

- f. To minimize the risk of damage from strong ground shaking during an earthquake, all pre-development reports shall be reviewed by a registered engineering geologist and a structural engineer. Structures shall be constructed under the provisions of the latest edition of the Uniform Building Code. Design for each dwelling shall include the following:
 - Firmly attach water heaters, decorative objects, and light fixtures to the walls or ceilings.
 - If masonry chimneys are proposed, they shall be reinforced.
 - Install flexible joints on all underground pipes.
 - Provide earthquake-actuated, automatic shut-off valves with manual override on all gas and water lines.
 - Design all structures to withstand greatest predictable ground shaking at each site.
- g. Because liquefaction can occur as a secondary effect of ground-shaking, a registered engineering geologist shall be employed to identify areas of potential liquefaction. Specific mitigation measures for existing hazards and design changes shall be incorporated into the subdivision improvement plans.

Additional Recommended Mitigation Measures:

- h. Comply with the engineering recommendations contained in the preliminary soils and geologic report prepared by Applied Soils Mechanics (September, 1989). Per the report, subsurface drainage shall be provided beneath all proposed canyon fills, at the toe of cut and fill slopes and in areas of shallow groundwater.

- i. Require an updated soils and geotechnical report prior to approval of a grading plan or improvement plans. Site improvement and building plans shall adhere to the recommendations of the soils engineer or geotechnical consultant. The consultant shall also recommend remedial action for existing unstable areas that may be located outside of the limits of grading, but which may be affected by the proposed grading.
- j. Grading and improvement plans shall comply with the City's Grading Ordinance and the Association of Bay Area Governments' (ABAG) Erosion and Sediment Control Handbook, including requirements to submit an erosion control plan to minimize construction impacts related to soil erosion, sedimentation, and water quality. Any graded areas and stockpiled soil which will remain for an extended period of time will be required to be hydroseeded for erosion control. Other recommended measures include stabilized construction entrances, earth dikes and swales, storm drain inlet protection, sediment basins, straw bale dikes, silt fences, and check dams. Erosion control measures shall be regularly inspected, monitored, and maintained throughout the construction period.
- k. Grading plans and construction activities shall comply with National Pollution Discharge Elimination System (NPDES) "Best Management Practices," including submission of a Storm Water Pollution Prevention Plan (see further discussion under "Water Quality").
- l. Prior to approval of grading and improvement plans, a revegetation plan shall be prepared for all disturbed areas that will remain in open space. Emphasis shall be on using erosion control, drought-tolerant native grasses and plants. All disturbed areas shall be revegetated as soon as possible and by October 15 at the latest.
- m. Site grading, drainage control and foundation construction shall be monitored by the project soils engineer and soils shall be tested as necessary. Remedial action shall be taken in the event that unexpected soil conditions are encountered during excavation or additional slope stabilization is found to be necessary.
- n. The disposal site for the excess cut material shall be compacted, contoured, and revegetated in accordance with the requirements of the City and East Bay Regional Park District.

- o. A Slope Management Program shall be developed and implemented by a certified Engineering Geologist or licensed Geotechnical Engineer, who shall be responsible for the identification and remediation of unstable slopes. The Slope Management Program shall identify the types of on-site hazards, and shall include an appropriate periodic monitoring plan for constructed slopes and their associated drainage systems. In addition, establish a procedure for response to slope failures affecting project improvements including the surface drainage system. Place deed restrictions, easements or other appropriate legal instruments on all slopes on private property to allow monitoring and remediation activities, and to require property owners to maintain appropriate landscaping and irrigation procedures. Include provisions in the Slope Management Program for timely remediation of any identified slope problems. The Slope Management Program shall be implemented and funded through the project homeowners' association, or equivalent.

2. AIR QUALITY

Setting

The proposed development is located in the San Francisco Bay Area Air Basin. The site is affected by marine air flow that is strongest in the afternoon. Air pollution potential in southern Alameda County is relatively high during the summer and fall. When high pressure dominates, pollutants accumulate at lower altitudes, and polluted air from the region is contained by the East Bay Hills until dispersed by strong winds. During the winter months, air pollution potential in southern Alameda County is rated as moderate. The primary sources of air pollution in this area are motor vehicles and industrial uses.

Through the Federal and State Clean Air Acts, ambient air quality standards have been set for specific pollutants. Under the National Ambient Air Quality Standards (NAAQS) established through the Federal Clean Air Act, the Bay region is designated as "non-attainment" for carbon monoxide (CO), although the Bay Area Air Quality Management District (BAAQMD) indicates that federal standards have not been exceeded since 1991. (BAAQMD has applied for reclassification.) CO is a colorless, odorless gas formed by the incomplete combustion of fuels. Motor vehicles are the primary source of this pollutant.

Other pollutants covered by the NAAQS include ozone (O₃), suspended particulate matter (PM₁₀), nitrogen oxide (NO₂), sulfur dioxide (SO₂), and lead (Pb). The region has been designated by federal officials as an attainment area for these pollutants, with ozone recently designated as attainment. State air quality standards are more stringent than the federal standards. Under the State standards, Alameda County is a "non-attainment area" for ozone and PM₁₀.

Ozone or smog is formed by a complex chemical reaction between nitrogen oxides (NO_x) and reactive organic gases (ROG) in the presence of sunlight. These gases are commonly referred to as ozone precursors. Automobiles are the largest source of ozone precursors in the San Francisco Bay area. Ozone levels usually build up during the day and peak in the afternoon hours.

PM₁₀ (particulate matter 10 microns or less in diameter) refers to a wide range of particles in the atmosphere, including smoke, dust, aerosols, and metallic oxides. Some particulate matter occur naturally, such as pollen. Most PM₁₀ is produced by motor vehicles; other sources include construction, grading and demolition activities, agricultural uses, and factories. Additionally, wood-burning stoves and fireplaces are significant contributors to the particulate mix during the winter months. BAAQMD considers particulates to be the most serious overall health hazard among the criteria pollutants that it regulates.

BAAQMD has established BAAQMD CEQA Guidelines (April 1996) for evaluating air quality impacts from proposed projects and plans. These Guidelines update the 1985 guidelines and define "thresholds of significance" for air quality impacts from construction activity and project operations. PM₁₀ emissions from construction activity are considered significant unless specific mitigation measures for controlling dust are implemented. Air quality impacts from project operations are potentially significant if emissions will result in a net increase of 80 pounds per day of RO_G, NO_x, or PM₁₀. Also, CO emissions are potentially significant if: 1) vehicle emissions of CO will exceed 550 pounds per day; 2) project traffic will impact intersections operating at Level of Service (LOS) D, E, or F or will cause LOS to decline to D, E, or F; or 3) project traffic will increase traffic volumes on nearby roadways by ten percent or more. The Guidelines contain recommended mitigation measures for reducing project operation impacts.

Impacts

Air quality impacts from the proposed development will result from construction activity and from the operation of the project. Construction impacts are relatively short-term and primarily relate to grading activity. Conversely, operational impacts will continue for the life of the project. The primary sources of operational impacts are motor vehicles, natural gas combustion for space and water heating, and stoves and fireplaces.

Construction Impacts

The primary air quality impact will be from airborne dust generated by grading activity. Approximately 60-acres of the site would be graded at one time under the proposed grading plan. Using a standard of 0.6 tons of PM₁₀ per acre per month for construction activity as defined in the Program EIR, the proposed project would potentially generate 36 tons of PM₁₀ per month from construction activity.

Based on State and Federal standards, emissions of PM_{10} from construction activity could be significant. However, the projected impact from the proposed project would fall within the range of impacts identified in the Program EIR. (The proposed development area on the subject property is substantially the same area assumed in the EIR.) Based on the conclusions in the Program EIR, the construction impacts from the proposed project can be mitigated to a level of insignificance. The developer will be required to comply with the mitigation measures recommended by BAAQMD and listed in the Program EIR for controlling dust at the project site.

Operational Impacts

Operational air quality impacts will primarily originate from motor vehicle emissions, although emissions from household activities involving, heating, fuel burning, and consumer products (e.g. aerosol spray cans) can also be significant. The Program EIR found that for all four development scenarios (500, 700, 900, and 1,800 units), the threshold of significance for at least three pollutants (CO, ROG, and PM_{10}) would be exceeded in terms of total project emissions. The Program EIR concludes that the level of residential development anticipated on Walpert Ridge will cumulatively contribute to regional air quality effects, and that this impact will be a significant environmental effect which cannot be avoided. However, the project alone would not exceed the thresholds of significance established by the BAAQMD; under the Guidelines, a single-family housing project must generally exceed 375 units to cause a significant cumulative air quality impact.

To evaluate local air quality impacts, the Program EIR projected ambient CO concentrations at five nearby intersections for the 500-unit and 1,800-unit development alternatives for the year 2000 using accepted methodology. The projections were based on peak-hour traffic and worst-case meteorological conditions. For both alternatives, State and Federal CO standards would not be exceeded at these intersections.

Since the proposed project is within the development range evaluated in the Program EIR, the proposed project would contribute to a significant cumulative effect on regional air quality, but would not have a significant effect on local air quality. Further, the project impacts would not exceed the level of impacts already identified in the Program EIR, and no new or additional impacts would result.

Mitigation Measures

The following mitigation measures would reduce impact on air quality to a level of insignificance:

Per Program EIR:

Construction:

- a. Per the approval of the City, the construction contractor shall implement a dust abatement program to reduce the effect of construction on PM₁₀ concentrations in the vicinity of the project site. Elements of this program shall include the following:
 - Sprinkle all unpaved construction areas with water at least twice per day during excavation to reduce dust emissions. Additional watering shall be carried out on hot or windy days.
 - When feasible, cover stockpiles of sand, soil, and similar materials with a tarp.
 - Cover trucks hauling dirt and debris to reduce spillage onto paved surfaces.
 - Sweep up dirt or debris spilled onto paved surfaces immediately to reduce resuspension of particulate matter through vehicle movement over these surfaces.
 - Require the construction contractor to designate a person or persons to oversee the implementation of an entire dust control program and to increase watering as necessary.
- b. While emissions of other criteria pollutants during construction activities would not represent a significant adverse effect, the following measures shall be implemented to promote environmentally sound construction practices:
 - Maintain and operate construction equipment so as to minimize exhaust emissions. During construction, trucks and equipment shall be running only when necessary.
 - Engines shall be shut off when trucks are loading, unloading, or waiting. Equipment shall also be kept in good condition and well-tuned, to minimize exhaust emissions.

Additional Recommended Mitigation Measures:

The following mitigation measures are recommended to address construction impacts:

- c. Require submittal of a plan for dust control prior to issuance of a grading permit under the City's Grading Ordinance, and compliance monitoring by the City through regular construction inspections.
- d. Require disturbed areas to be revegetated as soon as possible, and no later than October 15.
- e. Comply with other mitigation measures contained in the BAAQMD CEQA Guidelines (Table 2) for controlling dust at the construction site.

To encourage use of alternative modes of transportation and to reduce automobile emissions, the following measures will be required to mitigate operational impacts. These requirements are also consistent with standards and guidelines in the Walpert Ridge Specific Plan.

- f. Provide sidewalks throughout the project and provide pedestrian/bicycle pathway connections to the proposed school/park site on the adjacent Hayward 1900 property.
- g. Plan for the possible extension of transit service to the site by providing a bus stop with shelter at the project entrance.
- h. Through the CC&R's, allow the homeowners association to enforce emergency measures during periods of high air pollution, as determined by BAAQMD, such as curtailing the use of barbecues, wood-burning stoves and fireplaces.

3. HYDROLOGY AND WATER QUALITY

Refer to Section 14.D, "Public Services, Storm Drainage", for related discussion and mitigation measures.

Setting

The majority of the site drains into either Ziele Creek or Dry Creek to the west. These creeks eventually drain to San Francisco Bay. The site is marked by a number of small drainage ravines or swales which feed into the main tributaries. The present cattle-grazing use negatively affects water quality. The Walpert Ridge area exhibits relatively rapid runoff because of steep slopes and relatively low soil infiltration rates.

Water quality is regulated by the Federal National Pollution Discharge Elimination System (NPDES) Program, established by the Clean Water Act. The purpose of the program is to control and reduce pollutants to water bodies from site drainage and stormwater discharge. In the San Francisco Bay area, the program is administered by the California Regional Water Quality Control Board (RWQCB), San Francisco Bay Region. For the proposed project, compliance with the NPDES program will be through the permit authority granted to the City of Hayward by the RWQCB.

Additionally, under the RWQCB's "Enforcement Policy" (February 1994), any project that involves more than five acres of grading must file a "Notice of Intent", with the State Water Resources Control Board to comply with the State NPDES General Construction Permit for discharge of storm water associated with construction activity. A Storm Water Pollution Prevention Plan (SWPPP) is required to be prepared that provides for erosion and sediment control, construction material and waste and equipment waste management, and control measures for post-construction runoff.

Applicable NPDES recommendations and guidelines are contained in the following documents:

- **Staff Recommendations for New and Redevelopment Controls for Storm Water Programs**, RWQCB (February 1994) - these recommendations contain policies for watershed protection and best management practices (BMPs) for protecting and improving storm water quality. The BMPs cover both construction and post-construction measures and are tiered based on the amount of impervious area resulting from the development and the proximity of the development to a sensitive water quality resource. Construction BMPs include stabilizing denuded areas, protecting adjacent properties, delineating clearing limits, using sediment controls and filtration, using proper storage, handling, and disposal practices, using proper vehicle and equipment practices, controlling and preventing discharge of pollutants, and preparing a contingency plan for unexpected rain or BMP failure. Post-construction BMPs cover education and training, common area landscape control, common area litter control, labelling storm drain facilities, runoff control, site planning, swales or sand filters, street sweeping, and treatment control designed to meet a specific performance goal.
- **New Development Project Conditions**, Alameda County Urban Runoff Clean Water Program (April 1995) - this document contains a list of suggested conditions of approval for a project that address storm water quality measures for construction activity and project operation. Conditions specify measures for implementing many of the BMPs that are more generally described in the above RWQCB document.

Impacts

During the grading and construction period, potential slope failures and the removal of the vegetation cover could result in sedimentation, soil erosion, and degradation of water quality to downstream areas. On-going water quality and erosion impacts may also result from the project. Residential development on Walpert Ridge would introduce certain recognized pollutants common to urbanized areas, such as heavy metals, oil, grease, petroleum hydrocarbons, and chemicals. Particularly during the wet season, pollutants could potentially be conveyed to the surrounding open space and creeks through the stormwater drainage system. Runoff may be concentrated and peak stormwater flow will be increased by the addition of impervious paving from roads, driveways, structures, and lined drainage ditches. This could result in erosion, sedimentation, and increased flood hazards in downstream areas.

The developer has incorporated in the preliminary development plans many of the mitigation measures listed below to reduce water quality impacts, such as detention/sediment basins, limiting the area of grading, and retaining native vegetation.

Mitigation Measures

Water quality impacts from the construction and operation of the project can be mitigated to a level of insignificance through the following mitigation measures:

Per Program EIR:

- a. Development shall not increase peak runoff to the extent that downstream flooding will result. To the extent possible, plans shall minimize the area of new impermeable surfaces and channel runoff through the slowest route. This could be accomplished utilizing the following:
 - Construct multi-story dwellings;
 - Using natural surfaces for paths and driveways;
 - Route runoff over natural surfaces (i.e., lawns) to increase lag time needed to arrive at storm drains;
 - Using natural materials and objects to construct engineered structure for flood control (i.e., rocks for energy dissipators; soils for construction of filter berms);
 - Minimize roadway surfaces (i.e., linear feet and width) and driveways;
 - Establish maximum impervious surface coverage standard per lot; and/or
 - Use detention basins to control peak flows at pre-development levels.

- b. In order to minimize erosion and sedimentation problems and water quality impacts associated with construction, the following measures shall be implemented:
- Minimize grading to the extent possible;
 - Retain vegetation where possible, and replace when removed;
 - Minimize steep cut and fill slopes;
 - Provide erosion control planting on slopes; and/or
 - Provide grease traps, sediment basins, and silt traps.
- c. To minimize water quality impacts from development and post-development activities, properly designed and maintained biological oil and grease removal systems shall be included in storm drain systems to treat water before it leaves the project area.

Additional Recommended Mitigation Measures:

- d. Prior to acceptance of grading or improvement plans, the developer shall obtain a NPDES permit through the City of Hayward and provide evidence of the filing of a Notice of Intent with the State Water Resources Control Board. The developer shall submit for City approval a Storm Water Pollution Prevention Plan (SWPPP) for reducing the discharge of pollutants and sediments into downstream areas. The SWPPP shall implement the BMPs recommended by the RWQCB, including the minimum construction BMPs and as many of the post-construction BMPs as deemed feasible (Tier 3 for residential development).
- e. Conditions of approval for the project will require compliance with the appropriate project conditions recommended by the Alameda County Urban Runoff Clean Water Program.
- f. Prior to issuance of grading and building permits, the applicant shall also prepare a management plan for monitoring, enforcing, and reporting on construction and post-construction BMPs. Where necessary, an assessment district, to be administered by the City, shall be formed for maintaining infrastructure improvements for water quality. If applicable, the project CC&Rs shall specify any responsibilities of the homeowners association.

4. BIOLOGICAL RESOURCES

Setting

The ridgetop areas and upper south- and west-facing slopes are characterized by non-native annual grasslands, which are grazed by cattle throughout the year. The canyon slopes, particularly the north and east faces, are characterized by a Coast Live Oak Forest. Coastal Sage Scrub is found on the lower reaches of south-facing slopes and the upper reaches of north-facing slopes. This plant community is dominated by coyote brush, California sagebrush, poison oak, sticky monkeyflower, and horehound. The canyon bottom at the eastern portion of the property exhibit a Central Coast Live Oak Riparian Woodland plant community. Plant species include California bay, coffeeberry, California buckeye, big-leaf maple, blue elderberry, mugwort, poison oak, sticky monkeyflower, coyote brush, and toyon. Two large Eucalyptus trees (*Eucalyptus globulus*) are dominant along Hayward Boulevard. Wetland vegetation is found in the natural drainage swales and ravines, and vary from seasonally wet grassland plants in the upland slopes to grassland plants, shrubs, and trees in the lower drainage areas.

Rock outcrops are prevalent on the ridgetop at the northern portion of the site. The most significant rock outcrops are at the northern portion of the property. Bay Trees Knoll is identified in the Walpert Ridge Specific Plan as a significant site feature. The knoll, which is visible from Hayward Boulevard, exhibits picturesque oak and bay trees emerging from large boulders.

A small silted up pond impoundment is located in a drainage ravine below lots 28-30. The pond is surrounded by willows, cattails, and coyote brush.

The Walpert Ridge area supports an abundant variety of wildlife, although cattle-grazing has diminished the habitat value of the grasslands for certain wildlife species. Special status species consist of: 1) wildlife species that are listed by the Federal or State government as endangered, threatened, or rare or are listed as candidates for listing; and 2) plant species that are listed by the California Native Plant Society (CNPS) as rare or endangered. These species are protected to varying degrees under the Federal and California Endangered Species Acts (FESA and CESA) and the California Environmental Quality Act (CEQA). The Alameda striped racer or Alameda whipsnake (*Masticophis lateralis*) is listed by the State as threatened and is a Candidate 2 for federal listing. The Santa Cruz Tarplant (*Holocarpha macradenia*) is federally listed as a Candidate 1 and State listed as endangered. Recently, the California red-legged frog (*Rana aurora draytonii*) was federally listed as threatened (effective June 24, 1995). The State also identifies this species, along with the California tiger salamander and western pond turtle, as species of special concern. These three species could potentially be found on the site in the riparian area or pond impoundment.

The Program EIR also identifies four animal species as "animals of concern" because they are particularly sensitive to development, because they add to the experience of residents and the general public, or because they play an important role in the local ecology. These species include mule deer (*Odocoileus hemionus*), bobcat (*Felis rufus*), mountain lion (*Felis concolor*), and golden eagle (*Aquila chrysaetos*).

Impacts and Mitigations

The Program EIR identifies impacts related to: 1) reduction of grassland habitat area; 2) restriction of movement for wildlife; 3) potential construction and human impacts on native vegetation; 4) potential incompatibility between non-native landscaping and native plants; and 5) introduction of domestic cats and dogs. Mitigation measures in the Program EIR include requirements to perform a wetlands delineation study, conduct surveys for the Alameda whipsnake and Santa Cruz Tarplant, and evaluate all trees over 6 inches in diameter that will or may be impacted by development.

With the mitigation measures contained in the Program EIR and described in the following discussion to address the impacts on large predator habitat, endangered or threatened plant and wildlife species, wetlands, vegetation, and other significant site features, the environmental impacts of the proposed development on vegetation and wildlife will be reduced to a level of insignificance.

A. Larger Predator Habitat and Wildlife Corridors

Impacts

The Program EIR states that the conversion of grassland areas for residential development would contribute to the cumulative loss of large predator (golden eagle, mountain lion, bobcat and mule deer) habitat in the Walpert Ridge area. For the Bailey Ranch property, this loss of habitat is not considered significant since development would be limited to about 14 percent of the property or 54 acres of grassland closest to Hayward Boulevard. Most of the remainder of the property would be dedicated to the East Bay Regional Park District (EBRPD) for expansion of Garin Regional Park. Grazing could continue on the property depending on the management policies of EBRPD. Additionally, the development will not affect any significant wildlife corridors on Walpert Ridge.

Mitigation Measures

The following measures will be required to ensure that the impact on large predator habitat will be fully mitigated:

Per Program EIR:

1. Land not proposed for development shall be preserved as permanent open space. If the land is dedicated to the East Bay Regional Park District or another open space agency, the property shall be conveyed with the expressed provision that development of these areas shall be limited to construction of trails, signs, fencing, fire roads, and erosion/water control structures. If grazing is permitted as a management tool, such practices shall proceed according to the grazing pressure on the site. Overgrazing of the areas scheduled to be retained as part of the open space preserve, which can significantly reduce natural wildlife habitat values by resulting in the destruction of natural drainages and vegetation, shall not be permitted.
2. The homeowners association (through the CC&R's) shall be permitted to strictly enforce a leash law and other controls to prevent disturbance of the local biota by domestic pets.
3. Any trails in the open space shall be designed to minimize ecological disturbance, and shall be monitored to insure minimization of damage by users.

Additional Recommended Mitigation Measures:

4. Prior to approval of the first final map, the applicant shall execute an agreement to dedicate the undeveloped open space to a public agency such as the East Bay Regional Park District or to a non-profit foundation or trust with the expertise to manage open space lands and wildlife resources.
5. Prior to or concurrent with the recordation of each final map, record a scenic and conservation easement covering all other common open space which will remain in private ownership; this easement shall require the open space to be maintained by the homeowners' association, or other entity acceptable to the City, in a manner compatible with the surrounding natural conditions.

B. Alameda Whipsnake

Impacts

The applicant retained the services of Dr. Samuel M. McGinness in 1990 to trap and survey potential habitat sites for the Alameda whipsnake within and surrounding the proposed development envelope. The field survey was conducted according to the protocols approved by the California Department of Fish and Game (CDFG). A whipsnake was captured on the eastern portion of the property in the vicinity of lots 28-30. The trap site is considered core habitat for the whipsnake because it is at the edge of coastal scrub and exhibits rock outcrops. Dr. McGinness concluded in his report dated September 7, 1990, that the whipsnake exists on the site, and that development in the vicinity of the habitat area would have a serious impact unless appropriate mitigation measures were implemented.

A recent study (Swaim, 1994) reveals that the home range for the whipsnake is considerably larger than previously thought, and includes grassland and oak savannah associations adjoining coastal scrub. Four indicators are associated with prime whipsnake habitat, although not all four indicators must be present for the whipsnake to be found. The whipsnake is almost always associated with open canopy chaparral and coastal scrub communities. Rock outcrops provide a suitable foraging, habitat, and winter hibernation area for the whipsnake. The abundance of the northwestern fence lizard, which is the preferred prey of the whipsnake, is also an indicator of the possible presence of the whipsnake. Finally, the whipsnake is predominately found on east to southwest facing slopes.

Based on the above findings, CDFG has defined the habitat for the whipsnake as consisting of: 1) "core habitat" - coastal scrub located on east to southwest-facing slopes; and 2) "buffer zone" - grasslands located within 500 feet of these core areas. CDFG has also determined that the impact on whipsnake habitat can be mitigated by providing "on-site compensation" in accordance with the following replacement ratios:

- Disturbed core habitat - 5:1 replacement.
- Disturbed buffer zone within 100' of habitat - 5:1 replacement.

- Disturbed buffer zone located 100' to 500' from core habitat - 1:1 replacement using the above criteria, Guzzardo and Associates was retained by the applicant to develop a "Whipsnake Habitat Mitigation Plan" (March 21, 1996). The plan indicates that 12.14 acres of core and 100-foot buffer areas will be disturbed and 41.36 acres 100-500-foot buffer areas will be disturbed. This translates to a replacement requirement of 102.06 acres. The plan further indicates that at least 106.21 acres of comparable replacement habitat will be provided in the dedicated open space. CDFG has reviewed the plan and has issued a letter dated December 10, 1996, concurring that the impact on whipsnake habitat can be mitigated through on-site compensation. Construction of the project may be subject to issuance of a Management Authorization (MA) and Memorandum of Agreement (MOA) pursuant to the California Endangered Species Act (CESA). The MA and MOA would describe the management mechanisms to ensure the long-term protection of the species in the habitat preservation area and assign management and administrative responsibility for assuring habitat preservation. Provisions would also address minimizing construction impacts, such as providing a protective barrier between construction areas and undisturbed habitat areas.

Mitigation Measures

With the survey for the Alameda whipsnake completed, as recommended in the Program EIR, implementation of the following additional mitigation measures will reduce impacts on Alameda whipsnake habitat to a level of insignificance:

1. Prior to approval of the first final map, an agreement shall be enacted to preserve habitat areas and replacement land by dedicating the open space in perpetuity to a public agency such as the East Bay Regional Park District or deeding the land to a non-profit foundation or trust with the expertise to manage open space and wildlife preserves.
2. Prior to approval of the first final map or grading and improvement plans, the applicant shall obtain from the CDFG a MA and MOA for rare or threatened species pursuant to California Department of Fish and Game Code, Section 2081, if required. Authorization from the United States Fish and Wildlife Service (USFWS) shall also be obtained pursuant to the FESA, if required. Any encroachment of development into core or buffer habitat areas shall be mitigated by providing "on-site compensation" in the form of replacement habitat as stipulated by CDFG and USFWS. The precise delineation and amount of impacted habitat and compensation areas, including details for enhancement, preservation, and ongoing maintenance, shall be stipulated in the MA or MOA.

C. Habitat for California Red-legged Frog

Impacts

The adult California red-legged frog typically is found in a wide range of in-stream and separate pond and pools, plus stream and drainage channels that connect wetland sites; riffles, marshes, stockponds, water troughs, catchments, seeps and springs.

The proposed project would not directly impact riparian areas or stock ponds where the California red-legged frog might be found, although drainage impacts might occur. A site survey on the Bailey Ranch for the red-legged frog, the tiger salamander and western pond turtle was conducted by Jeffrey B. Froke, PhD on June 26, 1997. He reported in a letter dated June 27, 1997 that he found no suitable sites or habitat conditions for any of these species on the Bailey Ranch property. Inside Garin Regional Park he identified a location that appeared to have elements of potential habitat for the species.

Mitigation Measures

The potential impact on the habitat for the California red-legged frog, tiger salamander, and western pond turtle within the Garin Regional Park can be mitigated to a level of insignificance through the following mitigation measure:

1. If ownership and/or maintenance of the undeveloped open space areas within the proposed development are transferred to the East Bay Regional Parks District, the floodplain habitat on the Bailey Ranch should be protected and if possible, enhanced for its aquatic wildlife potential.

D. Wetlands

Impacts

A wetlands delineation and summary report was prepared for the site by Kelley and Associates Environmental Sciences, Inc. (January 23, 1997) covering the northern portion of the property where development is proposed. The extent of wetlands was determined according to U.S. Army Corps of Engineers' standards for identifying wetlands that are subject to Section 404 of the Clean Water Act. Three criteria are used to identify wetlands: 1) presence of wetland or hydrophytic vegetation; 2) presence of wetland or hydric soils; and 3) evidence of wetland hydrologic conditions. All three criteria must be found for an area to be classified a wetland. The study found wetlands in natural drainage swales, which were characterized by seasonal wetland grasses. Approximately 1.33 acres of jurisdictional wetlands were found on the northern portion of the site, of which less than 0.75 acre would be disturbed or removed. Verification from the U.S. Army Corps of Engineers is pending.

A U.S. Army Corps of Engineers permit will be needed for the impacted wetlands. Mitigation measures may be required, consisting of on-site replacement and measures for protecting existing preserved wetlands. The Corps has indicated that a "no net loss" policy or a minimum one-for-one replacement ratio will be applied to impacted wetlands. It is expected that sufficient wetlands are available or can be created on the southern portion of the property to meet the minimum replacement ratio.

Mitigation Measures

With the completion of a wetlands delineation for the site, as recommended in the Program EIR, the impact on wetlands can be mitigated to a level of insignificance through the following additional mitigation measures:

1. The applicant/developer shall obtain a jurisdictional determination from the U.S. Army Corps of Engineers prior to the approval of the tentative tract map.
2. The applicant/developer shall obtain any necessary permit from the U.S. Army Corps of Engineers for impacted wetlands prior to approval of the first final map or grading and improvement plans for the development. Through this permit, any on-site replacement requirement for impacted wetlands will be stipulated to achieve a "no net loss" policy.
3. The open space management plan shall address the management of any replacement wetlands, if required. Enhancement of existing wetlands may also be required. A mechanism for financing the management of wetlands shall be identified prior to approval of the first final map or grading and construction plans, or these areas shall be dedicated to a public agency or non-profit foundation that is willing to accept management responsibility.
4. Prior to approval of the first final map or grading and improvement plans, a "Streambed Alteration Agreement" shall be obtained from CDFG, if required, for any impacted drainages.

E. Santa Cruz Tarplant

Impacts

The Santa Cruz tarplant is typically associated with undisturbed or lightly grazed coastal or near-coastal grassland habitats, which is found on the Bailey Ranch property. As required per the Program EIR, the applicant retained Environmental Science Associates (ESA) to conduct a site survey for this plant species in accordance with CDFG and USFWS protocols. The survey occurred on July 23, 1990, when the flowers would be in bloom. ESA concluded that the plant species does not exist on the site, per letter of November 2, 1990.

Mitigation Measures

No mitigation required.

F. Vegetation and Tree Preservation and Protection

Impacts

The Program EIR recommends mitigation measures to minimize impacts on native plant communities in the vicinity of the project. A detailed tree survey is also required with the objective of adjusting the project, where needed, to minimize removal of mature vegetation.

The trees on 337 acres of the site would be preserved within the proposed open space area. A tree evaluation report was prepared by Hortscience, Inc., in December 1995 (updated January 6, 1997) that covered all trees with a trunk diameter of 6" or greater growing within or adjacent to the proposed development envelope. The report maps, evaluates, and appraises a total of 113 trees located within the proposed development area. Coast live oak was the dominant tree, accounting for two-thirds of the trees surveyed. These trees varied from small young specimens to large mature trees and occurred both individually and in groves. These trees were generally rated in good to excellent condition, with a high suitability for preservation. Other native or indigenous species on the site included big-leaf maple, arroyo willow, elderberry, and California bay. The condition of these trees varied from poor to good/excellent, and suitability for preservation varied from low to high.

Because development will primarily occur in grassland areas and will avoid woodland areas, relatively few native trees will be impacted by construction. In reviewing revised site and grading plans, the consultant concluded that of the total 113 trees, 66 trees could be preserved, 15 are "at risk", and 32 would have to be removed. The trees to be removed consist of black locust, eucalyptus, and coast live oak of which 8 of the trees proposed for removal are dead or in very poor condition. Most of the "at risk" trees are healthy coast live oaks located in a canyon abutting Lots 25-30 and are worthy of preservation. The precise location of these "at risk" trees, relative to the grading limits, is recommended to determine if these trees can be preserved.

Mitigation Measures

Given the large acreage of oak woodland (containing thousands of native trees) that will be preserved as open space, the removal of 24 trees is not considered a significant environmental impact. The following mitigation measures shall be incorporated into the project however, to minimize impacts on the surrounding native plant community and to preserve and protect the trees that will be retained on the site:

Per Program EIR:

1. Re-establish ground cover immediately following completion of grading, or when construction will be postponed for more than one month, to reduce erosion and runoff and to help re-establish plant associations.
2. Retain an independent licensed professional to design and supervise an erosion control program during grading, excavation, and other site work. Require the sponsor to post a bond with the appropriate agency to ensure that erosion is controlled and that the site is landscaped and revegetated satisfactorily. The bond would be refunded upon successful completion of construction and landscaping.
3. Require City inspection of the project site periodically during and following construction to determine whether the revegetation program is being successfully carried out.
4. Require suitable temporary barriers (fencing) around mature trees to be preserved, rock outcrops, drainage channels and watercourses, and other sensitive habitat areas during construction to prevent construction workers from inadvertently disturbing these areas.
5. Restrict construction to the dry seasons of the year to reduce erosion of slopes and possible siltation of downstream drainages.
6. Emphasize use of drought-tolerant native species in all public right-of-ways, private lots and common-area landscaping.
7. Require installation of silt traps or settlement basins to minimize siltation of creek channels.
8. Through the CC&R's, require the homeowners association to limit the use of pesticides and fertilizers in the common-area landscaping and in the open space portions of the project.

Additional Recommended Mitigation Measures:

9. Grading and improvement plans shall clearly label all trees to be removed and preserved. Under the supervision of a certified arborist, the exact location of potentially impacted trees (horizontal and vertical elevations) relative to proposed grades shall be defined on the plans and in the field prior to approval of grading plans. Plans shall be adjusted where possible to save "at risk" trees that are in good or excellent condition, particularly the native oak trees located behind Lots 24-32. If necessary to preserve oak trees, grading of flat pads for these lots shall be limited to 100-foot depth. Trees to be removed shall be provided with replacement trees as determined by the City Landscape Architect.
10. Grading and improvement plans shall specify tree protection measures for all potentially impacted trees per the tree preservation guidelines contained in the Hortscience report (December 1995). Tree protection measures shall address protection fencing, site grading, foundation and pavement construction, site drainage, and root and canopy pruning. The City reserves the right to require a certified arborist to monitor construction, assess tree damage, and recommend mitigation measures.
11. A tree preservation bond or surety shall be submitted equal to the value of all potentially impacted trees (generally all trees within 50 feet of the limits of grading.) The value of the trees shall be determined by a certified arborist. The bond or surety shall remain in effect for a minimum of two years following acceptance of tract improvements. Following the end of this period, the bond or surety will be returned to the developer if all trees are found to be healthy, thriving, and absent of any evidence of irreversible construction impact.
12. The applicant/developer shall prepare a management guide for the homeowners association and individual homeowners for maintaining native trees and oak woodland located within private lots or common open space. CC&Rs shall include requirements to preserve native trees and to replant any trees that may have to be removed.

5. NOISE

Setting

The developed land in the vicinity of the proposed project consists of single-family dwellings, which are more sensitive to noise than commercial or industrial land uses. The Program EIR identifies two categories of noise impacts which could potentially impact existing and future residences: 1) construction noise; and 2) operational noise, particularly traffic-generated noise. Construction noise will be generated by construction vehicles travelling to and from the site and by heavy construction activity occurring on the site, primarily related to mass grading. Traffic-generated noise would consist of long-term impacts from vehicular traffic generated from the development.

Impacts

Construction Impacts:

Adjacent residential uses would be exposed to construction noise during the build-out period, which is expected to be several years. The Program EIR identifies required mitigation measures for construction noise impacts that pertain to limits on the hours of operation and requirements for using state-of-the-art noise shielding and muffling devices on construction vehicles and equipment. Conditions of approval for the project will require the developer to submit a proposal for complying with these requirements prior to issuance of any grading or construction permits. The City will also monitor compliance during the construction period.

Operational Noise:

The Program EIR concluded that traffic-generated noise impacts from the development of 500 to 1,800 residential units on Walpert Ridge would not be significant, based on a projection of the estimated increase in noise levels at four key intersections. Additionally, the adjacent Prominence subdivision, which would be exposed to traffic noise from the proposed project, includes a soundwall along Hayward Boulevard and Fairview Avenue wherever lots are located fairly close to the street. Because the proposed Bailey Ranch project would generate traffic volumes within the range considered in the Program EIR (see discussion under Section 13, "Transportation/Circulation"), additional traffic noise impacts beyond those already identified in the Program EIR would not be expected.

Approximately ten lots located along Hayward Boulevard would be exposed to a higher level of traffic noise than the rest of the development. Noise measurements were taken by Environmental Science Associates (ESA) in 1990. The results suggest that, with additional traffic on Hayward Boulevard, future noise levels along the roadway might slightly exceed the "normally acceptable" noise standards for single-family homes: 60 L_{dn} or CNEL for exterior noise and 45 L_{dn} or CNEL for interior noise, as defined in the City's Noise Element. If needed, mitigation measures are recommended to reduce this potentially significant impact.

Mitigation Measures

Construction noise impacts can be mitigated to a level of insignificance by:

Per Program EIR:

- a. (Amended) Restrict construction activities, including excavation and grading, to between 7:00 a.m. and 7:00 p.m., Monday through Saturday, per City ordinance. More restrictive hours may be established by the City.
- b. Require the project contractor to use construction equipment with state-of-the-art noise shielding and muffling devices.

Additional Recommended Mitigation Measures:

- c. The developer shall provide surrounding residents with a phone number and contact person to report any noise complaints.
- d. The City shall monitor compliance with noise mitigation measures during the construction period.

Operational noise impacts can be mitigated to a level of insignificance with the following measures:

Per Program EIR:

Not applicable to project.

Additional Recommended Mitigation Measures:

- e. For the lots that border Hayward Boulevard, unless a noise analysis confirms that noise levels will not exceed the exterior or interior standards contained in the City's Noise Element, the following shall be required: 1) the installation of a sound-rated masonry wall or wood fence if the exterior noise standard will be exceeded; and/or 2) mechanical ventilation of dwellings (provides alternative to opening windows for ventilation), if the interior noise standard will be exceeded.

6. LIGHT AND GLARE

Setting

With the project site located along a major ridgeline, long-range views (3.5 miles or greater) of the proposed development would be possible. Medium range views (approximately 1 mile) would be available from the high points within Garin Regional Park (Garin Point). Short-range views of the site would be available from Hayward Boulevard, Plumas Court, and Skyline Drive, La Mesa Drive, and Barn Rock Drive.

Impacts

Potential impacts pertain to glare and reflection from the architectural materials used for the dwellings and glare from street lights. The developer proposes to install low glare, shielded street lights. The developer also proposes to enforce the architectural design guidelines in the Walpert Ridge Specific Plan regarding sensitivity to colors and materials.

Mitigation Measures

Potential impacts related to light and glare can be reduced to a level of insignificance with the following mitigation measures:

Per Program EIR:

None identified.

Additional Recommended Mitigation Measures:

- a. Require the site plans to include detailed architectural guidelines that address building colors and materials. Review building plans to avoid the use of "highly reflective roof or wall materials" and "bright or harshly contrasting colors for walls and trim", in accordance with the design guidelines in the Walpert Ridge Specific Plan.
- b. Require the level of street lighting to comply with the City's "rural" lighting standards (SD-120), which call for installing street lights at intersections, traffic conflict locations, and other locations for safety and security as determined by the Public Works Director. Require street light fixtures to be shielded and directed downward to minimize glare into adjacent residences or into the skyline.

7. LAND USE: POLICIES AND PLANS

Setting

The General Policies Plan includes policies for the hill lands and Walpert Ridge area specifically. These policies advocate conserving the aesthetic, ecological, and recreational resources of the hills, protecting sensitive plant and wildlife habitats, avoiding environmental hazards, avoiding development that will be costly to the public, attaining adequate open space for recreation, and requiring projects to mitigate off-site traffic impacts. Planning strategies for Walpert Ridge include: 1) maintaining the hill environment through the retention of topographic features such as rock outcroppings, drainage swales, streams, slopes, and natural vegetation; 2) designating areas to be protected as open space in cooperation with East Bay Regional Park District, Hayward Area Recreation District, and Alameda County; and 3) clustering development to maintain the continuity of open space.

The General Policies Plan Map was amended in 1991 to be consistent with the policies in the Walpert Ridge Specific Area Plan (SAP). The SAP defined an Urban Limit Line (ULL) for the Walpert Ridge area. The area within the ULL is designated Residential, Suburban Density (1.0 to 4.3 dwelling units per net acre). The area beyond the ULL is designated Open Space, Parks and Recreation. Possible open space uses include: 1) regional parks, community and neighborhood parks; and 2) special use facilities such as golf courses, historic estates, linear parks and trails.

The Housing Element promotes providing above-moderate income housing to ensure a sufficient supply of housing to maintain a jobs/housing balance. Large lot, estate-type housing with appropriate amenities is encouraged in selected areas. A City-wide goal of 70 percent owner occupancy is also included. Walpert Ridge has been recognized as an appropriate area for higher-income, estate-type housing.

Since the Program EIR was certified, the City has adopted or amended two policy documents that pertain to Walpert Ridge: the Growth Management Element (GME) and the Walpert Ridge Specific Plan. The GME, adopted in 1993, defines an ULL in the hills and shorelands. For the Walpert Ridge area, the GME incorporated the ULL established in the SAP. On the Bailey Ranch property, the ULL was defined by existing topographical constraints. The boundary of the current development proposal corresponds to the ULL. All proposed development would be well within the 1.5-mile service area of Fire Station No. 5, located at Hayward Boulevard and Skyline Drive.

On July 25, 1995, the City amended the SAP to include additional development policies and specific design guidelines and infrastructure standards for guiding development on Walpert Ridge. The amended document was renamed the Walpert Ridge Specific Plan. The Specific Plan allows up to 615 units on Walpert Ridge, and these units are allocated among the four property owners. A maximum of 116 units was allocated to the Bailey Ranch property.

The existing zoning for the property is Agricultural (AG) District. The proposed project will not affect any lands subject to agricultural preserve contracts. The previous contract for the property expired on January 1, 1995. Because of steep slopes and shallow soils, the property is not considered prime agricultural land.

Impacts

The proposed development conforms to the Residential, Suburban Density, designation on the General Policies Plan Map. The housing density, not including street rights-of-way and open space, will be 3.7 units per net acre. The average lot size will be over 11,000 square feet. The development proposal will require amendments to the Walpert Ridge Specific Plan, which are described below:

- Amend Development Policies I.D and I.E (p. 21-22) to increase the development potential on the Bailey Ranch property from 116 to 135 residential units (an increase of approximately 16 percent);
- Amend Development Policy I.F (p. 26) and the Land Use Plan (Figure 5) to allow for the development of primarily one lot type (padded lot) within the Urban Development area;
- Amend the Land Use Plan and the Design Standards and Guidelines to allow an emergency vehicle access, instead of a public street connection, to the Hayward 1900 property; and

- Amend Development Policy B.1 (p. 29) and the Land Use Plan to allow the dedication of a minimum 2.8 acre passive park with in-lieu fees instead of requiring the dedication of land towards a joint school/park site.

The above Specific Plan amendments are required to achieve consistency with the proposed Planned Development zoning and Preliminary Development Plan. The potential environmental effects of these amendments on existing and planned land uses are discussed in other sections of this Expanded Initial Study. The potential effects relate to developing a larger residential project than allowed under current policies, allowing for more padded lot grading, providing adequate fire and emergency access to the development, and modifying the configuration of the joint school/park site.

The developer proposes a zoning amendment to change the zoning from Agricultural (AG) District to Planned Development (PD) District for approximately 54 acres where the housing would be located.

Mitigation Measures

The potential impacts pertaining to required changes to land use policies and plans will not be significant if:

- a. the requested Specific Plan amendments are enacted;
- b. the associated environmental impacts will be mitigated to a level of insignificance;
- c. the project will comply with the policies, strategies, standards, and guidelines in the General Plan and Specific Plan to the maximum extent feasible; and
- d. the proposed zoning amendment from Agricultural (AG) District to Planned Development (PD) District is approved by the City.

Related mitigation measures are contained in other sections of this Expanded Initial Study (13.A. Fire Protection, 13.C. Schools, 13.D. Parks and Recreation, and 16. Aesthetics).

8. NATURAL RESOURCES

Impacts

The proposed development will require the consumption of natural resources typically associated with the construction of single-family dwellings and supporting infrastructure improvements such as roads, landscaping, and utilities.

Mitigation Measures

The impact of the proposed project on natural resources will not be significant with the implementation of the following mitigation measures:

Per Program EIR:

None identified.

Additional Recommended Mitigation Measures:

- a. Prior to the approval of construction and improvement plans, a plan shall be submitted for review by the City's Solid Waste Manager for recycling excess building materials and other construction debris to the maximum extent feasible. Furthermore, the recycling plan shall identify building materials and related products made of recycled content to be used on the project; and
- b. Future residents will participate in the City's curbside recycling program.

9. HAZARDS

Refer to Section 13A, "Public Services, Fire Protection", for a related discussion.

Setting

The proposed development will be surrounded by steep terrain heavily vegetated by oak woodland and coastal scrub vegetation. Along with the windy conditions associated with the ridgetop setting, the project site is considered a high hazard area for wildland fires. Given the high fire hazard, the Walpert Ridge Specific Plan contains urban development within 1.6-mile service area of Fire Station No. 5, which generally corresponds to the five minute response time for the first due engine company. This standard is also incorporated into the City's Growth Management Element.

The City adopted in 1993 Hillside Design and Urban/Wildland Interface Guidelines (HDG), which establishes fire safety standards and guidelines for hillside development. These standards and guidelines have also been added to Appendix II-A of the City's Uniform Fire Code (1994). The HDG includes building design standards for hillside dwellings, such as requirements for Class A roofs, fire sprinklers, one-hour fire-rated siding and walls, double-paned windows, and enclosure of decks. Other standards cover site planning, fire and emergency access, and fuel management at the urban/wildland interface. A recommended list of fire-resistant and drought-tolerant plants is also included.

The Walpert Ridge Specific Plan contains additional fire management guidelines that supplement the HDG and responds to the specific topographical conditions on Walpert Ridge. The Specific Plan requires that a fuel management zone be established around the perimeter of the residential development. The width of the zone will depend on vegetation type, slope gradient, and the design characteristics of adjoining lots and dwellings, but will generally vary from 30 to 100 feet in width. The vegetation within the zone will have to be modified to reduce the risk of exposure of dwellings to wildland fires. The homeowners association would be responsible for maintaining the fuel management zone, common area landscaping, and other private open space. The Specific Plan includes a conceptual fire management plan to illustrate the scope of the fuel management program. The Specific Plan also includes guidelines for emergency vehicle access (EVA), open space management, and common area landscaping.

Impacts

Because residential development will be located at the urban/wildland interface and along the ridgeline, a potentially significant impact pertains to the exposure of dwellings to a possible wildland fire originating from the open space or within the development. All dwellings will be located well within the 1.6-mile service area of Fire Station No. 5 (farthest house will be located approximately one mile away.) The applicant also states that their proposal for predominantly padded lots instead of sloped lots will allow for better fire access and protection of dwellings in the event of a wildfire.

Another potential concern is that, with development served by only one public entry point, evacuation of residents could be problematic. The Specific Plan recommends providing a second public roadway from the project site through the Hayward 1900 property to Hayward Boulevard. Further analysis shows that significant grading might be needed to construct this roadway. The Fire Department agrees that substituting the roadway with an emergency vehicle access (EVA) lane would still provide the required secondary ingress/egress route. This EVA lane would extend from the end of proposed Tamarisk Court and could also function as a pedestrian/bicycle pathway to the proposed school/park site. A second EVA lane is proposed at the end of proposed Camphor Court for direct emergency access from Hayward Boulevard.

The applicant has agreed to comply with the fire safety and management guidelines in the HDG and Specific Plan to mitigate the risk of exposure to a wildland fire. Measures include: 1) creating a fuel management zone around the perimeter of the development and preparing a long-term fuel management plan; 2) providing EVA lanes to the open space at maximum 1,000-foot intervals; 3) providing streets that comply with City standards; 4) emphasizing drought-tolerant, fire-retardant landscaping in common areas; and 5) providing fire sprinklers in all dwellings.

Mitigation Measures

The potential impacts associated with the exposure of residents and structures to wildfires can be mitigated to a level of insignificance with the following measures:

Per Program EIR:

None identified.

Additional Recommended Mitigation Measures:

- a. Prior to approval of a precise plan or the first final map, the applicant shall hire a qualified fire management consultant to develop a fuel management plan and define a fuel management zone around the perimeter of the development. Prior to approval of each final map, a easement covering the fuel management zone shall be described, with long-term maintenance responsibility assigned to the homeowners association in the CC&Rs. The developer shall also provide future homeowners with information on fire-safe landscaping, fuel management, and other fire safety practices;
- b. Comply with the fire safety design standards in the HDG, Specific Plan, and all applicable Building and Fire Code regulations, including providing fire sprinklers, double-paned windows, Class A roofs, and one-hour fire-rated exterior walls for all structures;
- c. Provide EVA lanes which comply with Fire Department standards at the end of proposed Camphor and Tamarisk Courts that will provide access to Hayward Boulevard. Additionally, provide gated EVA lanes to the surrounding open space at maximum 1,000-foot intervals around the perimeter of the development; and
- d. Develop landscaping plans for the common areas and fuel management zones that comply with guidelines contained in the HDG and Specific Plan. Emphasize using plants recommended in the HDG.

10. POPULATION

Impacts

The proposed development will provide upscale housing that will attract upper-income households, which are desired by the City. This housing conforms to General Plan and Housing Element policies that promote home ownership and a jobs/housing balance. Walpert Ridge has long been recognized as an appropriate location for estate-type housing and this development objective is reflected in the Walpert Ridge Specific Plan. The proposed project will not have a significant effect on the location, distribution, or rate of population growth in the City.

Mitigation Measures

None required.

11. HOUSING

Impacts

As stated above, the proposed development will provide housing for upper-income households, which is considered an underserved population in the City. Thus, the project is not expected to have a significant impact on existing housing.

The proposed housing will implement policies in the Housing Element pertaining to home ownership and a jobs/housing balance, including the City-wide goal of 70 percent homeownership. Housing will be developed on a site which is relatively close to several major employment centers in the region. Convenient access to the highway system is also available. The downtown Hayward and Castro Valley BART stations are located approximately 10 to 20 minutes driving distance from the site. Incrementally, the project will promote more efficient urban development by locating new housing close to existing employment and commercial areas.

Mitigation Measures

None required.

12. TRANSPORTATION/CIRCULATION

Setting

The project site is locally served by Hayward Boulevard and Fairview Avenue. Freeways or State Routes in the vicinity of the site consist of Interstate 880, State Route 92 (Jackson Street), and State Route 238 (Mission Boulevard) to the west and Interstate 580 to the north. A new expressway (State Route 238 Bypass) is proposed to extend southward from the I-580/SR 238 interchange in a corridor east of Mission Boulevard; however, the expressway is still in the environmental review stage, and a date for construction has not been determined yet. With completion of the nearby Five Canyons project, which is located in Alameda County about two miles to the north, a more direct connection from the project site to I-580 will be available. (Current access to I-580 is through local streets in the Hayward area.)

Transit service in Hayward is provided by AC Transit, which has lines that serve the project vicinity but only extends to Hayward Boulevard and Skyline Drive at this time. AC Transit would evaluate extending transit service to Walpert Ridge once development proceeds. The downtown Hayward BART station is located approximately four miles northwest of the project site. The new Castro Valley BART station is located approximately five miles to the northwest.

A. Off-site Traffic

Impacts

Several traffic analyses have been prepared for Walpert Ridge development over the past years. The most recent analysis is the Site Traffic Analysis Walpert Ridge Development prepared by Barton-Ashman Associates, Inc., dated August 8, 1997, and available in the City Development Review Services Division. The traffic analysis evaluated transportation impacts from Walpert Ridge development with and without the construction of the proposed State Route 238 Bypass. The study concluded that improvements to key intersections would be required with development on Walpert Ridge. These traffic mitigation measures are substantially different than those incorporated into the Walpert Ridge Specific Plan.

Based on the Site Traffic Analysis Walpert Ridge Development scenario that has Route 238 Bypass complete with four lanes to Harder Road (Scenario 2), the following improvements to the local street system would be required to provide a LOS D or better after the development of the Walpert Ridge.

- Farm Hill Boulevard/Hayward Boulevard - traffic signal installation.
- Civic Avenue/Hayward Boulevard - traffic signal installation. The installation is currently warranted; any future developer will be required to fully fund the installation.
- Second Street/"E" Street - conversion of the northbound shared left-through lane to exclusive left-turn lane; addition of a northbound through lane, including right-of-way acquisition and traffic signal modifications. A single-family residence on the southwest corner and some landscaping are identified for removal.
- Mission Boulevard/Carlos Bee Boulevard - addition of third northbound through lane; addition of a second southbound left-turn lane. Widening includes right-of-way acquisition and traffic signal modifications. Right-of-way acquisition includes the elimination of one used car lot, the Elks lodge, one restaurant, one building that includes an insurance shop/a flower shop/Western Union, an empty building, a glass shop, some landscaping and 21 parking spaces.
- Mission Boulevard/Harder Road - addition of a second northbound left-turn lane; addition of a third southbound through lane; addition of a third eastbound through lane; addition of an second westbound left-turn lane east of Mission Boulevard; addition of a third westbound through lane west of Mission Boulevard; conversion of an exclusive westbound right-turn lane to a shared through right-turn lane. Widening includes removal of a median, right-of-way acquisition and traffic signal modifications. Right-of-way acquisition includes the removal of some landscaping and 11 parking spaces.

- Fairview Avenue - fund a study (currently underway by the County) and install traffic calming measures and other improvements.

The Site Traffic Analysis Walpert Ridge Development also analyzes Route 238 Bypass (Scenario 3), which outlines **additional** improvements to the local street system beyond those required in Scenario 2 that would be required to provide a LOS D or better after the development of the Walpert Ridge, **if the Route 238 Bypass is not completed.**

The cost for designing and constructing the above off-site traffic improvements (including any administrative and environmental fees, right-of-way acquisition costs, and relocation costs) will be established by the City Engineer prior to approval of the tentative map. The developer's proportionate share of the total cost will also be determined based on the total number of units approved on Walpert Ridge. The Bailey Ranch would be responsible for the traffic generated by 135 of those units and a pro-rata share of the traffic generated by the school/park site. The Scenario 2 fees so calculated are required to be paid to the City prior to approval of the first final map; such fees will be held in a special account for the purpose of constructing the improvements.

The Scenario 3 fees so calculated are required to be deposited in a letter of credit to the City, or similar security deposit, prior to recordation of the first final map. The Scenario 3 funds would be returned to the developer if and when the City Council executes a freeway agreement for the Route 238 Bypass prior to January 1, 2000.

In addition, the developer will be required to pay \$1,200 per residential single-family unit, which is the equivalent of the existing supplemental building construction and improvement tax, at the time a certificate of occupancy is issued.

Mitigation Measures

The impact of the proposed development on the off-site transportation system can be mitigated to a level of insignificance with the following mitigation measures:

In accordance with the policies in the Specific Plan and in the Site Traffic Analysis Walpert Ridge Development, the developer's proportionate cost of the identified off-site traffic improvements shall be calculated by the City Engineer prior to approval of the tentative tract map. The total project cost shall include the cost for design, engineering, environmental review, right-of-way acquisition, utility relocation, and all related costs. The pro-rata shares shown in parenthesis below under the mitigation measures are based on a total of 805 units being developed within the Walpert Ridge area. The amount would vary depending on the number of dwelling units ultimately approved for the Walpert Ridge area. *The pro-rata shares are based on the development's proportionate share of the anticipated incremental traffic increases over the next 13 years - not their share of the total amount of traffic on the local street system.*

If the City Council finds that substitute improvements to the street and highway system will provide superior traffic mitigation (for social, economic or environmental reasons), these funds may be used to implement alternative proposals.

1. Funds shall be deposited with the City prior to approval of the first final map for the following required improvements to the local street system which cover the following streets and intersections. The City shall place these funds into a special account for the purpose of funding these improvements:
 - Farm Hill Boulevard/Hayward Boulevard - The developer shall contribute to the installation of a traffic signal. (The Bailey Ranch represents 17.5 percent of this mitigation.)
 - Civic Avenue/Hayward Boulevard - The developer shall deposit funds sufficient to install the traffic signal. The developer may request the formation of a benefit district for reimbursement, for the amount in excess of his/her proportionate share. (The Bailey Ranch shall contribute 100 percent of the traffic design and installation costs less the \$30,654 previously received from a former developer. The Bailey Ranch represents 9.8 percent of this mitigation and could potentially be reimbursed for contributions in excess of this amount.)
 - Second Street/"E" Street - The developer shall contribute to the conversion of the northbound shared left-through lane to exclusive left-turn lane; addition of a northbound through lane, including right-of-way acquisition and traffic signal modifications. A single-family residence on the southwest corner and some landscaping will be eliminated. (The Bailey Ranch represents 0.875 percent of this mitigation.)
 - Mission Boulevard/Carlos Bee Boulevard - The developer shall contribute to the addition of third northbound through lane north of Carlos Bee Boulevard; addition of a second southbound left-turn lane. Widening includes right-of-way acquisition and traffic signal modifications. Right-of-way acquisition includes the elimination of one used car lot, the Elks lodge, a restaurant, a glass shop, one building that includes an insurance shop/a flower shop/Western Union, an empty building, some landscaping and 21 parking spaces. (The Bailey Ranch represents 3.5 percent of this mitigation.)

- Mission Boulevard/Harder Road - The developer shall contribute to the addition of a second northbound left-turn lane; addition of a third southbound through lane; addition of a third eastbound through lane; addition of an second westbound left-turn lane east of Mission Boulevard; addition of a third westbound through lane west of Mission Boulevard; conversion of an exclusive westbound right-turn lane to a shared through-right-turn lane. Widening includes right-of-way acquisition and traffic signal modifications. Right-of-way acquisition includes the removal of some landscaping and 11 parking spaces. (The Bailey Ranch represents 1.05 percent of this mitigation.)
- 2. Fairview Avenue: Prior to approval of the first final map, the developer shall contribute his/her proportionate fair share cost for the County's Fairview Avenue study and for the resulting traffic calming measures and other improvements that are adopted pursuant to this study. (The Bailey Ranch represents 8.75 percent of this mitigation.)

Based on the Site Traffic Analysis Walpert Ridge Development scenario that excludes the Route 238 Bypass (Scenario 3), the following **additional** mitigation measure to the local street system beyond those required in Scenario 2 would be required to provide a LOS D or better after the development of the Walpert Ridge, **if a freeway agreement for the Route 238 Bypass were not executed by the City.**

- 3. Prior to the recordation of the first final map, the developer shall deposit his/her proportionate fair share cost for the additional Scenario 3 improvements in a letter of credit to the City, or similar security, prior to the recordation of the first final map. These funds shall be returned to the developer, if and when the City Council executes a freeway agreement for the Route 238 Bypass prior to Jan. 1, 2000.
- 4. The developer shall pay \$1200 per residential single family unit, which is the equivalent of the existing supplemental building construction and improvement tax, at the time a certificate of occupancy is issued.

Per Program EIR:

In accordance with the policies in the Specific Plan, the developer shall also:

- 5. Promote transit use and carpooling by encouraging the homeowners' association to investigate the feasibility of the following transportation system management (TSM) measures:
 - a. Support peak period van or shuttle bus service between the project site and BART stations in Castro Valley and/or downtown Hayward;
 - b. Arrange vanpool service to major employment locations, e.g., Hacienda Business Park and Bishop Ranch;

- c. Provide a ride board or other means of matching Walpert Ridge residents with carpool or vanpool participants. The services of RIDES for San Francisco Bay area commuters could be enlisted to match potential carpoolers. This would be particularly useful for the expected commute from the project site to destinations north and east of Hayward; and
- d. Expand the potential base for the above TSM measures by coordinating efforts with similar programs at other large developments such as Five Canyons and Palomares Hills.

Additional Recommended Mitigation Measures:

- 6. The City shall coordinate with AC Transit to determine the feasibility of extending bus service to the project entrance. If AC Transit intends to extend service to the site, the developer shall provide a bus stop and shelter at the project entrance prior to acceptance of tract improvements. The shelter shall be maintained by the homeowners' association or a landscaping and lighting district. The developer may request the formation of a benefit district for reimbursement, for the amount in excess of his/her proportionate share.

B. On-site Street System

Impacts

The entry road into the project will be located approximately 800 feet east of the intersection of Hayward Boulevard and Barn Rock Drive. The entrance roadway will be defined by a center median and landscaping at the two corners. The interior street system primarily consists of a loop road that extends approximately ½-mile into the property. Two cul-de-sacs branch off of the loop road. Single-family lots will front on the interior streets. The typical street cross-section consists of a 36-foot-wide curb-to curb width, which will accommodate two 10-foot-wide travel lanes and two 8-foot-wide parallel parking lanes. Planter strips (5.5 feet wide) and sidewalks (4 feet wide) will be located on both sides of the street. Typical right-of-way width will be 56 feet, although the right-of-way at the project entry will be widened to 70 feet to accommodate a wider roadway section and a 10-foot-wide landscape median. All streets are proposed to be public streets. The proposed street cross-section complies with the street standards in the Walpert Ridge Specific Plan. Decorative street lights are proposed to create a more distinctive residential character.

The developer will improve its property frontage along Hayward Boulevard in accordance with the standards in the Walpert Ridge Specific Plan. The roadway section will consist of two 13-foot-wide travel lanes with a 10- to 14-foot-wide landscaped median. No on-street parking will be allowed. An 11-foot-wide multi-use pathway for pedestrians, bicyclists, and equestrians will be provided along the property frontage within a minimum 36-foot-wide landscape setback. Finally, a bus stop with shelter will be provided east of the project entrance.

One potential impact pertaining to on-site circulation concerns emergency access into the project. As discussed under Section 9, "Risk of Upset," the Specific Plan requires a public street connection that extends through the Hayward 1900 property to Hayward Boulevard. This roadway was intended to also provide future residents with direct access to the proposed school/park site on the Hayward 1900 property. As an alternative to reduce grading, staff supports a Specific Plan amendment that allows the public street to be substituted with an emergency vehicle access lane (EVA lane). The developer proposes extending an EVA lane from the end of proposed Tamarisk Court. With a second EVA lane provided at the end of the proposed Camphor Court, three access points for emergency vehicles will be available into the project. Both EVA lanes could also function as pedestrian/bicycle pathways for access to future school and park facilities.

Mitigation Measures

The potential impacts related to the on-site circulation system can be fully mitigated with the following measures:

Per Program EIR:

Not applicable to project.

Additional Recommended Mitigation Measures:

1. Street improvement plans shall be reviewed by the City Engineer to ensure conformance with City's engineering design standards and the Walpert Ridge Specific Plan.
2. An 11-foot-wide multi-use pathway shall be provided along the property frontage. A combination 20-foot-wide EVA lane pedestrian/bicycle pathway shall be provided at the end of proposed Tamarisk Court and at the end of Camphor Court to provide emergency ingress/egress from Hayward Boulevard and to provide more direct access to the future school/park site. These EVA lanes and pathways shall be constructed according to City standards.
3. The CC&R's shall stipulate the responsibility of the homeowners' association to maintain all entry, street frontage, and other common area landscaping. The assessment district formed for the project shall include maintenance of the median landscaping along Hayward Boulevard and any specialty street lights within the project.

13. PUBLIC SERVICES

A. Fire Protection

Refer to Section 9, "Hazards," for discussion of impacts and mitigation measures related to the risk of wildland fires.

Setting

The City of Hayward Fire Department provides fire protection and emergency services to the project area. The City has established the following fire service response time standards for first alarm assignment, which are included in the City's Growth Management Element:

- First engine company should arrive within five minutes of initial alarm.
- First truck company should arrive within seven minutes of initial alarm.
- Balance of first alarm assignment should arrive within ten minutes of initial alarm.

Additionally, the City's goal for medical emergency response time is five minutes or less.

Fire Station No. 5, located at Hayward Boulevard and Skyline Drive, houses the first engine company that would arrive at the project site. The first truck company and the balance of the first alarm assignment would arrive from Fire Station No. 1 (located in downtown Hayward) and Fire Station No. 8 (located at Fairview Avenue and "D" Street).

The City standard is that urban development should be located within the five minute response time of the first engine company, which equates to a 1.5-mile service area, measured by driving distance. The balance of the first alarm assignment may be allowed a longer response time if structures are constructed with fire sprinklers and alarms.

Impacts

The farthest house within the development is located within one mile driving distance of Fire Station No. 5, well within the 1.5-mile service area standard. However, the Program EIR specifies that, even with all development on Walpert Ridge located within the 1.5-mile service area, a "Quint"-type fire apparatus must be purchased to serve development on Walpert Ridge. This requirement has since been updated by the Fire Department to one Type III fire apparatus or similar vehicle suitable for combating fires at the urban/wildland interface. This vehicle is now considered by the Fire Department to be more appropriate than a "Quint"-type apparatus. The cost for the vehicle would be similar. Additionally, Fire Station No. 5 would have to be modified to house this vehicle.

Mitigation Measures

By implementing the following mitigation measures and those described under Section 9, "Hazards", impacts relating to fire protection and emergency services can be mitigated to an insignificant level:

Per Program EIR:

1. (Amended) The developer shall contribute the cost of acquiring a Type III fire apparatus or similar vehicle suitable for combating fires at the urban/wildland interface, approved by the Fire Department and shall contribute the cost of modifying Fire Station No. 5 to house the new vehicle and expand the facility to house an additional three persons, or pay his/her fair share if another developer has provided the equipment and construction. Prior to approval of the tentative tract map, the City Engineer and Fire Chief shall estimate the cost of acquiring the vehicle and modifying the fire station. Fees shall be paid prior to the issuance of the first building permit, and the developer may request to be reimbursed for the portion of the cost which exceeds his/her fair share allocation through the establishment of a benefit district.
2. Fire hydrants shall be installed along roadways per the requirements of the Hayward Fire Department and the Uniform Fire Code. Hayward's fire flow requirement for single-family housing developments is 1,500 to 2,000 gallons per minute for a two-hour duration.
3. Clear brush as required in Appendix "E" of the Uniform Fire Code.
4. Provide all-weather surface engineered streets to handle 60,000-lb. vehicles, a minimum of 20 feet in width, and a turn-around for fire vehicles if the access is a dead end, and over 150 feet long.
5. Provide street design and layout to have relatively flat response routes with generous turning radii and wide streets; provide easy access for ground ladders and building interiors and sufficient emergency egress for occupants.
6. (Amended) The project developers shall be responsible for hiring a City-approved fire management consultant to determine which areas are subject to Category I or Category II of the City's Hillside Design and Urban/Wildland Interface Guidelines. Fire sprinklers and Class A roofs shall be provided for all dwellings.

Additional Recommended Mitigation Measures:

None.

B. Police Protection

Setting

The proposed development would be served by the Hayward Police Department. The Department structures its service on community-oriented policing and problem-solving. The Department bases its level of service on population, number of calls, and geographic area. The Program EIR evaluated police service needs based on an assumption of one police officer required per 1,500 population (2.8 persons per household). Based on this level of service standard, the Program EIR indicated that a minimum of one to three new police officers would be needed to serve the evaluated development options on Walpert Ridge, which ranged from 500 to 1,800 units. The Program EIR concluded that this impact would not be significant.

More recent service goals established for the Police Department are: 1.5 sworn officers per 1,000 population (current ratio is approximately 1.32 officers/1,000 population); and response times of 3-minutes for Priority 1 (emergency) calls and 10-minutes for Priority 2 (non-life threatening) calls. (Note: The Growth Management Element states a 4-minute standard for Priority 1 calls.)

Impacts

Applying the more recent service goals established by the Police Department, the proposed development would generate a demand for 0.4 new officers, plus associated vehicles and equipment. This impact is not considered significant. Because the development is located in the hills meeting the response time goal of 3-minutes for emergency calls might be difficult.

Mitigation Measures

The following mitigation measures will further reduce the impact on police services:

Per Program EIR:

1. The Hayward Police Department shall encourage the homeowners' association to establish a Neighborhood Watch or similar program for the development.
2. The Hayward Police Department shall review all development plans to encourage a self-policing, safe atmosphere by use of design features in buildings, landscaping, circulation and recreational facilities.

Additional Recommended Mitigation Measures:

3. The City shall regularly assess cumulative development on Walpert Ridge to confirm that the service goals of the Police Department will be met, to the extent feasible.

4. The developer shall ensure that structures will comply with the City's Building Security Ordinance.

C. Schools

Setting

The proposed development is located within the jurisdiction of the Hayward Unified School District (HUSD). The existing schools that presently serve the Walpert Ridge area consist of:

- Highland Elementary School (K-6) - capacity 425 students; current enrollment 455 students.
- Bret Harte Middle School (7-8) - capacity 690 students; current enrollment 646 students.
- Hayward High School (9-12) - capacity 1,750 students; current enrollment 1,751 students.

(Note: Enrollment figures per HUSD as of September 10, 1996.)

In accordance with State law, HUSD has adopted a school impact fee of \$1.84 per square foot of living area for residential uses and \$0.30 per square foot of building area for non-residential uses, which is required to be paid prior to issuance of building permits. HUSD indicates that these fees are not adequate for covering the costs associated with serving new residential development.

The City's Growth Management Element includes the following standard:

Proposals to legislate new residential potential should not be approved until adequate capacity is available as determined by the school district or guaranteed in an agreement between the developer and the school district for full mitigation. Each local school should be able to accommodate the children from proposed development without necessitating burdensome schedules for families or adding expensive school busing. Classrooms and other facilities including the multi-purpose room, library, labs, or sports and recreation areas must not be overcrowded. (p. 46)

The Walpert Ridge Specific Plan, in direct response to a HUSD resolution adopted in January 1995, requires Walpert Ridge developers/property owners to dedicate a 10-acre site for an elementary school at Hayward Boulevard/Fairview Avenue, or enter into a mitigation agreement with HUSD to fully mitigate school impacts. The agreement is required to "provide sufficient funds for the construction of permanent classrooms and/or appurtenant facilities at an existing school site and the purchase of related furnishings and equipment to accommodate the students that will be generated from the development." (p. 30)

Impacts

The Program EIR indicates that, for the development alternatives ranging from 500 to 900 units, Highland Elementary School would have to be expanded or students would have to be redirected to another school. A new elementary school would be required for the 1,800 unit alternative. More recently, HUSD staff has indicated that a new elementary school is needed on Walpert Ridge even if fewer units are constructed because Highland Elementary School is at capacity and insufficient space is available to expand the facility or add portable classrooms.

HUSD commissioned the preparation of a Facilities Master Plan in 1993 to estimate school facility needs to the year 2005. As part of this study, a demographic analysis was prepared to forecast future enrollment. The following student generation yield factors are presently used by HUSD:

HUSD Student Yield Factors

GRADE LEVEL	STUDENTS PER SINGLE-FAMILY UNIT
Grades K-3	0.12
Grades 4-6	0.10
Grades 7-8	0.06
Grades 9-12	0.09

Projected Student Yield from Proposed Development

		GRADE LEVEL				
HOUSING TYPE	NO. OF UNITS	K-3	4-6	7-8	9-12	K-12
Single-Family Dwellings	135	16	14	8	12	50

The proposed development is projected to generate a total of 50 K-12 students as detailed above. Based on school capacity and current enrollment figures, the proposed development would impact Highland Elementary School (30 new students), where enrollment already exceeds the capacity of the school. This school contains 21 rooms (8 permanent and 13 portables) of which 14 are available for regular classrooms. Additionally, HUSD staff indicates that seven of the portables are located on Hayward State property, and the multi-purpose room is severely deficient (sized for an 8 classroom school). The capacity of the school is further impacted by the program to reduce class size in the lower grades.

Presently, Bret Harte Middle School can accommodate the projected students from the proposed project. Hayward High School is presently at capacity, although the number of additional students from the project would not have a significant impact on existing conditions.

HUSD has discussed several options for accommodating the K-6 students from Walpert Ridge and other hill area developments. These options include:

- **Build a new school on Walpert Ridge to house approximately 650 students and close Highland Elementary School and sell the property** - HUSD believes that this option could be viable in the long-term, but the upfront cost of a new school (estimated at \$9 million) is considered prohibitive.
- **Expand and rebuild Highland Elementary School** - Eight portables would have to be moved to the primary playground while the new school was being constructed on the soccer field. In addition to the site being undersized for a 650-student facility, the cost of the new school would also be prohibitive.
- **Build a smaller school on Walpert Ridge to house approximately 300-350 students and keep Highland Elementary School open** - HUSD considers this option the most financially feasible. It allows for a new school with the option of expanding it in the future (assuming a large enough site is dedicated) and closing Highland Elementary School.

With the School Board indicating a preference for Option 3, HUSD has entered into a mitigation agreement with the developer (executed November 6, 1996) to pay a school impact fee of approximately \$0.87 per square foot above the District adopted rate. The funds would be earmarked for construction of a core school facility on Walpert Ridge. The fee for each dwelling would be due at time of issuance of building permit, and the fee rate would be adjusted annually for inflation. Using \$2.71 per square foot and assuming an average dwelling size of 2,800 square feet, the project would generate approximately \$1,024,380 in impact fees. (The developer's market study recommends dwelling sizes ranging from 2,400 to 3,400 square feet.) HUSD has determined that this mitigation agreement will adequately mitigate the impact of the project on its school facilities. It should be noted, however, that short-term arrangements will be needed to house the new students from this project until a new school is completed.

Mitigation Measures

With the following mitigation measures, the long-term cumulative impact on school facilities and services can be reduced to a level of insignificance.

Per Program EIR:

Amended for project (see below).

Amended Mitigation Measures:

1. Prior to issuance of each building permit, the developer shall pay the agreed upon school impact fee in accordance to the provisions of the mitigation agreement entered into with HUSD on November 6, 1996.
2. The Hayward Unified School District shall implement short-term measures to accommodate the new students from the project until a new elementary school is completed.
3. An easement shall be recorded with the first final map to provide for the future school's connection to the Bailey Ranch sanitary sewer.

D. Parks and Recreation

Setting

The Hayward Area Recreation and Park District (HARD) and East Bay Regional Park District (EBRPD) provide park, recreation, and open space facilities for the Hayward area. HARD provides neighborhood and community parks that typically include turfed playfields, picnic areas, and children's playgrounds. HARD's Greenbelt Trail, a hiking and equestrian trail, is located approximately one mile northwest of the project site.

EBRPD provides regional parks, trails, and open space. They have indicated that increasing demands are being placed on their facilities from the growing populations in Alameda and Contra Costa Counties. Garin Regional Park is located immediately southwest of the project site. Access to the park is from Mission Boulevard (SR 238 Bypass) via Garin Avenue.

The City's General Policies Plan includes the following park, recreation, and open space strategies that pertain to the project site (p. VII-14):

- "Support regional efforts to expand opportunities for camping, picnicking, swimming, hiking and riding opportunities both within the City and the planning area."

- "Provide for separate vehicular, pedestrian, and equestrian circulation, pullovers, and picnic sites in the Hayward hills."

The HARD Master Plan (1990) includes park standards which have been incorporated into the City's Growth Management Element. HARD's standards call for locating a local park within a ¼- to ½-mile service radius and a community park within a 2- to 3-mile service radius. HARD has also established for planning purposes an optimum park acreage standard of 10 acres per 1,000 population (1.5 acres for local parks, 6.0 acres for community parks, and 2.5 acres for special use facilities).

The City has adopted a Parkland Dedication Ordinance that obligates residential developers to dedicate parkland or pay park dedication in-lieu fees to offset the demand for additional park and recreation facilities. Land dedication requirements are based on a standard of 5 acres of parkland per 1,000 population. Acceptable parkland must be suitable for active recreational uses such as sport fields. A private recreation credit of up to 50 percent may be approved by the City for qualifying private recreation facilities. The park dedication in-lieu fee for a single-family dwelling is currently \$3,000 per unit.

The Walpert Ridge Specific Plan requires the dedication of an approximately 13± acre joint elementary school/park site at Hayward Boulevard with approximately 3-acres within the Bailey Ranch property; the rest would be located on the adjacent Hayward 1900 property.

However, HARD recently purchased a 10-acre site (commonly referred to as the Lewis site) for a neighborhood park, which is located on Hayward Boulevard opposite Plumas Court. This park site is located less than ½-mile west of and across Hayward Boulevard from the designated school/park site. HARD has stated that "all land uses are the responsibility of the City of Hayward, but the concept of a 2-acre passive park, as well as park dedication in-lieu fees would be an acceptable compromise for the Hayward Area Recreation and Park District".

In addition to providing the park dedication in-lieu fees for the development of the Lewis site and a 2.8±-acre passive park at Bay Trees Knoll, the Bailey Ranch would also provide grading easements across their property so that a future school/park site on the adjacent easterly property could be graded to construct two level soccer fields. (i.e., grading would not need to stop at the property line but could continue within the Bailey Ranch property as far as necessary to level the adjacent site.)

Impacts

Local Parks:

The developer proposes to dedicate an approximately 2.8-acre site within the project for a passive park, to pay park dedication in-lieu fees in accordance with the City's Parkland Dedication Ordinance instead of dedicating an active park and to provide the necessary grading easements to construct two level soccer fields on the adjacent easterly property. The proposed passive park site is designated in the Specific Plan as Bay Trees Knoll and is recognized as a significant site feature worthy of preservation. HARD would maintain the Bay Trees Knoll site in its natural state as an open space amenity with the addition of picnic facilities and possibly a tot lot. The site could be incorporated into the proposed school/park site on the Hayward 1900 property.

Under the City's Parkland Dedication Ordinance, the developer is required to dedicate 2.1 acres of parkland. Dedication of Bay Trees Knoll for a passive park does not meet the City's criteria for parkland dedication because it is not suitable for active recreational uses (e.g. sport fields), which requires relatively flat land. At best, the site could accommodate a modest tot lot and picnic tables.

However, since the developer has also agreed to pay park dedication in-lieu fees, which will total \$405,000 and agrees to allow any developer of a school/park site on the Hayward 1900 property to grade within the Bailey Ranch property so that two level soccer fields can be established, HARD and City staff believe that the impact on park facilities will be fully mitigated.

HARD proposes to use the park dedication in-lieu fees for park improvements on the Lewis site, which is easily accessible from the project site.

Regional Parks:

Garin Regional Park is an important regional recreational resource. The developer is proposing to dedicate the southern portion of the property (approximately 310-acres) to EBRPD. EBRPD has said that the open space will be a valuable addition to the park and will accept the dedication, less those portions that must be maintained by the homeowners association as a fuel management zone (30- to 100-foot-wide zone around the perimeter of the project) and less graded slopes and those areas that will be altered for drainage improvements or paved roads. EBRPD has also indicated that it will not accept title to approximately 25-acres of open space located closest to Hayward Boulevard behind lots 55-71 because of a past slope failure in this area. They have indicated a willingness, however, to enter into a management agreement for this portion of open space as well as for the adjoining City parcel. Upon the request of EBRPD, the developer has agreed to establish a "zone of benefit" whereby future homeowners within the project will pay an annual fee for maintenance of the dedicated open space.

The developer has also agreed to provide a hiking/equestrian trail along the western perimeter of the project combined with a fire access and utilities maintenance road. The trail will connect to an existing fire road located along the ridgetop that leads southerly to Garin Regional Park. Therefore, a potential trail connection from Hayward Boulevard to Garin Regional Park will be available upon completion of the project. A vehicle pull-out will also be provided at Hayward Boulevard.

Mitigation Measures

Per Program EIR:

Amended for project (see below).

Amended Mitigation Measures:

The impacts on local parks can be reduced to an insignificant level with the following mitigation measures to ensure adequate local park facilities for future residents.

1. Prior to approval of the first final map, the developer shall enter into an agreement with HARD to dedicate the Bay Trees Knoll site (2.8±-acres) for a passive park and open space amenity. Picnic facilities shall be installed by the developer which comply with HARD's standards.
2. Prior to approval of occupancy for each dwelling unit, the required park dedication in-lieu fee shall be paid to the City. Per the Parkland Dedication Ordinance, the amount of the fee shall be in accordance with the fee schedule in effect at the time of issuance of the building permit.
3. Prior to, or concurrent with the approval of the first final map, the property owner shall dedicate easements to allow the developer of the future school/park site on the adjacent easterly property to grade, and place drainage devices, within the Bailey Ranch property as needed to establish two level school/park site soccer size playing fields.

With the following mitigation measures, the impact on surrounding regional parklands and open space can be reduced to a level of insignificance:

4. Prior to approval of the first final map, the applicant shall execute an agreement to dedicate to EBRPD the open space which the District will agree to accept. The agreement shall also include formation of a "zone of benefit" district to assess homeowners within the project an annual fee for maintenance of the open space, local trail, fencing, and related improvements.

5. Any open space which is not accepted by EBRPD shall be owned and maintained by the homeowners association, although an agreement could be reached with EBRPD to manage the open space. Prior to approval of each final map, a scenic and conservation easement, which will restrict development, shall be recorded over all of the private open space.
6. Prior to acceptance of any tract improvements, a local hiking/riding trail which is acceptable to the City and EBRPD shall be constructed from Hayward Boulevard to the existing fire road leading to Garin Regional Park. A vehicle turn-out shall be provided at Hayward Boulevard. Additionally, access points, fire and maintenance access roads, gates, fencing, water stub-outs and meters, and measures to control erosion, siltation, and water quality impacts shall be installed per the requirements of the City and EBRPD.

14. UTILITIES

A. Water

Setting

The City of Hayward owns and operates its own water system and purchases all water from the San Francisco Water Department. Most of the water is from the Hetch Hetchy watershed in the Sierra Nevada. According to the findings in the Water Distribution System Master Plan (December 1995), the existing municipal water system has the capacity to deliver between 23 to 25 million gallons per day by gravity flow. This existing capacity is sufficient to serve only the existing needs, fire protection needs, peak demands, and other emergencies. The current peak demand is approximately 24.6 million gallons per day. Any major development, such as development on Walpert Ridge, would necessitate augmentation of the gravity capacity by pumping.

The project would be served by an existing 1.8 million gallon water tank located east of Fairview Avenue about ½-mile from the project site at an elevation of 1,285 feet above sea level (commonly referred to as the 1285 Reservoir). With a minimum water operating elevation of 1,274 feet, the tank could possibly serve development up to the 1,190-foot± elevation. No water service is available above this elevation.

The extension of water lines into the project site will be necessary. A 12-inch water main is located along Hayward Boulevard.

The Walpert Ridge Specific Plan recognizes the need to upgrade off-site water pumping facilities to serve residential development on Walpert Ridge, specifically at the Walpert Reservoirs (elevation 250± feet) and along the Highland Chain at the 250, 500, 750, and 1,000-foot storage tanks. The Water Distribution System Master Plan has determined the necessary upgrades based on the level of development allowed in the Walpert Ridge Specific Plan, which translates to a water use of about 280,000 gallons per day. Additionally, the Master Plan recommends a new pump station at the Walpert Reservoir, a new connecting pipeline between the south Walpert Reservoir and the Highland Chain 250 Reservoir, a second tank at the 1285 reservoir, improvements to the Decoto pump station, and a new Hesperian Boulevard pump station. The above improvements benefit Walpert Ridge development, but also benefit to varying degrees existing and future development in the City. Thus, Walpert Ridge developers will be responsible for a proportionate cost for these improvements based on a fair share analysis. A study will soon be completed by the City that will determine the estimated cost of the above improvements and establish the required share from Walpert Ridge developers.

An Analysis of Water Facilities for the Proposed Walpert Ridge Development Including the Blue Rock Country Club Project has been completed and is available in the City's Development Review Services Division, which analyzes the pumping and storage needs and a hydraulic evaluation of the Highland Chain pumping system. Scenario 1 of that analysis, includes 650 dwelling units on the Hayward 1900 property, 135 units on the Bailey Ranch property, 20 units on the Carden property, and does not include a golf course. The buildout average day demand is projected to be approximately 0.51 mgd (at an average rate of 472 gpm for 18 hours), of which 10.6 percent is for the Bailey Ranch property. The maximum day demand for the Walpert Ridge area, which was obtained by multiplying the average day demand by 2.0 for all demands in the Highland Chain is approximately 1.02 mgd (at an average rate of 944 gpm for 18 hours).

The total City of Hayward system-wide buildout average day demand without the Walpert Ridge development is anticipated to be 22.88 mgd. The projected system-wide buildout average day demand with the Walpert Ridge development without a golf course is projected to be 23.39 mgd.

The percentage of the future system demand increase attributable to the Bailey Ranch property development is 0.57 percent, which will be served from the existing 1285 Zone water system, with additional improvements.

Impacts

To estimate projected water use, the City uses an average daily factor of 400 gallons per day for a standard single-family dwelling. An analysis of the adjacent Prominence subdivision, which contains lots very similar in size to the proposed project, confirmed that average water use is about 400 gallons per day. Based on 135 units, the proposed project would consume 54,000 gallons per day of water.

Additional water consumption would be associated with the common area landscaping within the project, which will be located along Hayward Boulevard, at the project entrance, on a large interior slope, and around the perimeter of the development. The landscape concept for these areas emphasizes using water-conserving plants to reduce water use.

All of the proposed lots will be designed to be served by the existing 1285 Reservoir in terms of required fire and domestic service. However, the City eventually plans to construct a second water tank at this location to improve reliability and to avoid service disruptions. A second water tank will allow one tank to be shut down for maintenance without affecting water service for hill area residents that depend on the 1285 Reservoir. Prior to the recordation of the first final map, the developer will be required to contribute his/her fair share cost of acquiring land for the second water tank.

According to the Walpert Ridge Specific Plan and the Water Distribution System Master Plan, the City's water transmission and distribution system will have to be upgraded with additional pumping and storage capacity to serve development on Walpert Ridge, as described above.

The evaluation in the Analysis of Water Facilities for the Proposed Walpert Ridge Development Including Blue Rock Country Club Project to determine impacts caused by the project consists of three separate evaluations: 1) evaluation of storage requirements; 2) evaluation of pumping requirements; and 3) system-wide hydraulic evaluation utilizing the hydraulic network model originally developed for the Water Distribution System Master Plan.

Storage Requirements:

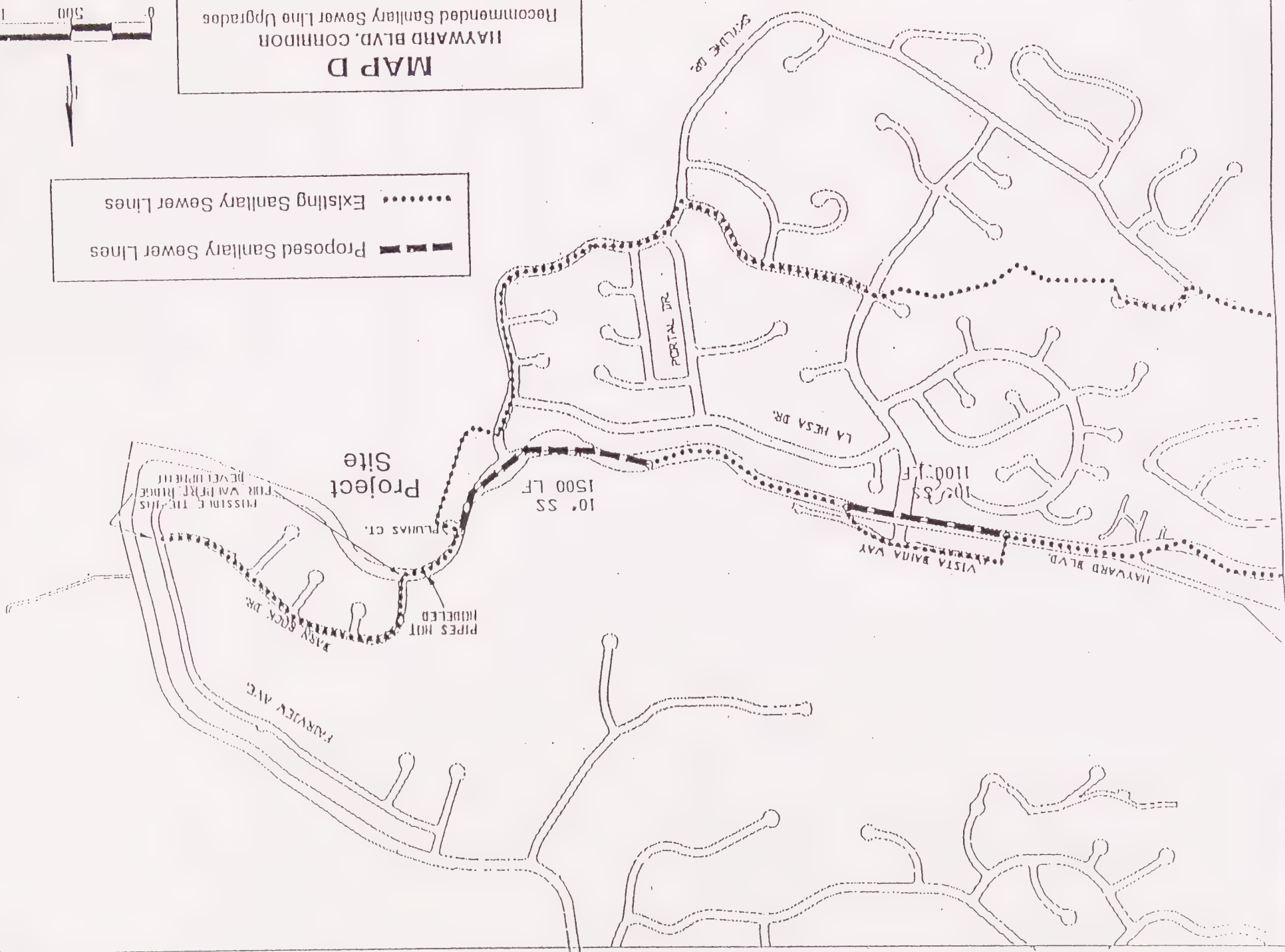
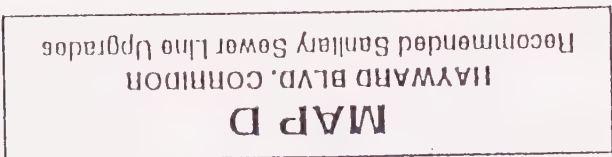
The existing 1285 Zone has adequate storage capacity. However, a single tank will not provide for redundancy, serviceability or maintenance.

Pumping Requirements:

The City has recently revised its water system operation of the Highland Chain pump stations to take advantage of time-of-use electrical power rates, which requires that the pumps be sized large enough to refill the reservoirs over an 18-hour duration each day. The stations as currently sized can provide enough operational flexibility to allow time-of-use operation. Approximately 2.5 percent of the overall Highland Chain demand is from the Bailey Ranch.

The additional capacity required at the Highland Chain 250 and 500 Pump Stations can be accommodated by adding one pump at each station. Since there is not adequate room to add more pumps at the 750 and 1000 Pump Stations, the pumps need to be replaced with larger pumps. The current standby generators at all these pump stations may also need to be replaced.

THIS PAGE INTENTIONALLY LEFT BLANK



THIS PAGE INTENTIONALLY LEFT BLANK

Hydraulic Evaluation:

Because the increase pumping in the Highland Chain will stress the operational storage capacity at the 250 Reservoirs, the South Walpert Reservoir will be linked with an 18-inch pipeline to the 250 Reservoir and an additional pump station will link the South Walpert Reservoir to the 500 Reservoir.

The 16-inch diameter pipeline connecting the 250 Pump Station to the 500 Reservoir will need to be replaced because of high head losses.

A 12-inch diameter pipeline connecting the 1285 Reservoir to the future school/park site is also required.

Capital Improvement Projects:

Several Capital Improvement Projects were identified in the Water Distribution System Master Plan for current (1995) and buildout demand scenarios. Those specifically related to the transmission system, which will benefit the entire water system including the Bailey Ranch property, are: 1) refurbishing and upgrading the Decoto pump station; 2) installing 2,500 feet of 30-inch diameter pipeline to replace a 16-inch transmission line at Mission Boulevard and Willis Avenue; and 3) constructing the Hesperian Boulevard pump station. The projects that were specifically related to the Walpert Ridge Specific Plan area development are included and refined in the discussions above. One additional needed Highland Chain improvement, which will benefit this project, is the construction of a chlorine booster station at the 250 Pump Station.

With the developer contributing his/her fair share cost of these improvements, the project's impact on the City's water distribution system will be adequately mitigated.

Mitigation Measures

The following mitigation measures will be required to reduce the impacts on the City's off-site water transmission and distribution system to a level of insignificance:

Per Program EIR:

1. The developer shall ensure that water pressure and flow for fire-fighting will be sufficient by designing the on-site water system distribution system to comply with City standards.
2. The developer shall incorporate water conservation measures in the design of the residential units and landscaping.

Additional Recommended Mitigation Measures:

3. Prior to approval of each final map, the developer shall contribute his/her fair share allocation based on the number of units in that phase of the water system improvement costs identified in the Analysis of Water Facilities for the Proposed Walpert Ridge Development including the Blue Rock Country Club Project Table 5 Scenario 1, which include:
 - Refurbish and upgrade Decoto pump station;
 - Install 2,500 feet, 30-inch pipeline to replace 16-inch transmission pipeline bottleneck at Mission Boulevard and Willis Avenue;
 - Construct Hesperian Boulevard pump station;
 - Construct South Walpert pump station;
 - Install 2,500 feet, 18-inch pipeline between South Walpert Reservoir pump station and Highland Chain 250 tank;
 - Chlorine Booster station at 250 pump station;
 - Install 5,000 feet, 16-inch pipeline between 250 pump station and 500 tanks;
 - Add pumping capacity to 1000 pump station;
 - Add pumping capacity to 750 pump station;
 - Add pumping capacity to 500 pump station; and
 - Add pumping capacity to 250 pump station.
4. Prior to approval of each final map, the developer shall contribute his/her fair share cost based on proportionate share of 1285 water demand for acquiring land at the 1285 reservoir for the eventual construction of a second water tank.
5. The development shall comply with the City's Water Efficient Landscape Ordinance.

B. Wastewater Collection and Treatment

Setting

The City of Hayward will provide wastewater collection and treatment for the development. Presently, the City's wastewater treatment facility provides full secondary treatment and has an assigned capacity of 13.1 million gallons per day (mgd). The facility currently handles an average dry weather flow of 11 mgd. With improvements currently under construction, the facility will have a build-out capacity of 16.5 mgd.

The Walpert Ridge Specific Plan requires Walpert Ridge developers to construct a new gravity sanitary sewer line along upper Hayward Boulevard as necessary, connecting to an existing 12-inch line in the vicinity of Parkside Drive. (Refer to Map D.)

Impacts

Off-site Improvements:

The City's Wastewater Collection System Master Plan evaluated development on Walpert Ridge assuming 700 single-family dwellings are constructed over an 381-acre area. The Plan calculated an average daily wastewater flow of approximately 0.16 million gallons per day (mgd), with a projected increase of 15 percent over time. The proposed project, which comprises only a portion of Walpert Ridge, would not have a significant effect on the capacity of the City's wastewater treatment facility.

The sanitary sewer system for the project would connect to an existing 10-inch line located at Hayward Boulevard and Barn Rock Drive. The Plan recommends installing new gravity sanitary sewer lines along Hayward Boulevard at two downstream locations to accept the flows from cumulative Walpert Ridge development. The two segments where new sewer lines are needed are as follows (refer to Map D):

- Approximately 1,500 linear feet along Hayward Boulevard from Plumas Court to the existing 10-inch line in Hayward Boulevard - install a 10-inch line to bypass the existing 8-inch line in Skyline Drive.
- Approximately 1,100 linear feet along Hayward Boulevard - install a 10-inch line to bypass the existing 8-inch line located in Vista Bahia Way.

The full cost of the above improvements must be borne by Walpert Ridge developers since the improvements are solely needed to serve Walpert Ridge development. Prior to the acceptance of public improvements for the first final tract the developer shall deposit funds sufficient to install the above facilities, unless they have been previously installed by another developer. Developers that install the improvements may be reimbursed through a benefit district for the portion of the cost that exceeds their fair share contribution.

On-site Improvements:

The wastewater sewer system within the project is designed to be an entirely gravity feed system. A "cross-country" sanitary sewer main will be located along the western perimeter of the development to connect to the sanitary sewer main on Hayward Boulevard. A paved drainage/sewer maintenance service road, which will also function as a fire access road and hiking/riding trail, will be constructed following the sanitary sewer main.

Private injector pumps will be required for five downsloping lots (39-43) to convey wastewater from the dwelling to the sanitary sewer main located in the street. Pumps will be installed, owned, and maintained by each property owner. Injector pumps will have to comply with the Uniform Building Code and the standards of the Alameda County Health Care Services Agency requirements.

Mitigation Measures

The proposed development will not have a significant effect on the environment or the City's wastewater collection system provided that the following mitigation measures will be implemented:

Per Program EIR:

Amended for project (see below).

Amended Mitigation Measures:

1. The developer shall deposit funds sufficient to install the off-site sewer main improvements as described in the Wastewater Collection System Master Plan prior to approval of the first final map, unless they have been previously installed by another developer. Developers that install improvements may be reimbursed through a benefit district for the portion of the cost that exceeds their fair share contribution.
2. Private injector pumps shall comply with all applicable City and County regulations.
3. Prior to approval of the first final map, the developer shall agree to include the cost of maintaining the service road for the "cross-country" sewer main in the assessment district that will be formed for the project.

C. Solid Waste

Setting

The City of Hayward currently has a franchise agreement with Waste Management of Alameda County (WMAC) for collection and disposal of solid waste generated within the City's jurisdiction. WMAC hauls the City's waste to the Davis Street Transfer Station in San Leandro, where it is transferred to the Altamont Landfill. The City's waste hauler has indicated that the landfill has the capacity to receive the City's waste in the foreseeable future.

The City is mandated by AB 939 (California Integrated Waste Management Act of 1989) to achieve waste reduction rates of 25 percent by the end of 1995 and 50 percent by year 2000. Additionally, Alameda County's waste reduction goals are at 75 percent. To achieve these goals, the City must address waste as it is generated.

Impacts

WMAC collects an average of 42 gallons (1.3 bins) of waste per week from each single-family dwelling. The proposed development (135 units) would generate approximately 5,700 gallons of waste per week. The volume of waste generated by the development could affect the City's ability to comply with State mandated waste reduction goals. However, each single-family dwelling will be involved in the City's curbside recycling program, which has recently been expanded to include collection of green waste. An annual fee for this service is added onto individual property tax bills.

Mitigation Measures

To mitigate the impacts on solid waste collection to a level of insignificance, the following mitigation measures have been identified:

Per Program EIR:

None identified.

Additional Recommended Mitigation Measures:

1. Prior to issuance of any building permits, the developer shall submit a proposal to the City for using recycled building products and recycling excess construction debris to the extent feasible.
2. Each homeowner shall be involved in the City's curbside recycling program. The homeowners association shall also be responsible for ensuring that green waste from the common areas will be recycled or composted.

D. Storm Drainage

Refer to Section 3, "Water Quality," for related discussion.

Setting

The project site is located in the Dry Creek and Ziele Creek watersheds, which drain toward the west and southwest. The site is characterized by rapid storm water run-off due to low soil infiltration rates and steep slopes. This means annual precipitation in the Walpert Ridge area is approximately 22-inches.

Impacts

Development of the site will increase the amount of impervious surface area, causing an increase in the volume and peak flow of stormwater run-off. This increased runoff could potentially cause soil erosion and siltation if not properly mitigated through the design of the storm drainage system. To mitigate these potential impacts, a storm drainage system must be designed for the project that will control peak flows, sedimentation, and flow velocity prior to discharging the stormwater into the surrounding natural swales.

The preliminary utility plan submitted by the developer for the vesting tentative map shows that the storm drainage collection system will be a closed pipe system located within the street right-of-way that will collect stormwater runoff from the lots, streets, and open space areas. The storm drain pipes will convey stormwater to a series of small detention basins located around the perimeter of the project. The system must be designed for a minimum 10-year storm (for watershed areas less than 50 acres) in accordance with City of Hayward and Alameda County Flood Control and Water Conservation District (ACFC&WCD) standards.

The detention basins will regulate peak stormwater discharges to prevent increased downstream flooding, erosion, and siltation due to the project. Detention basins are ponds that detain water discharges for a short period of time so that the outflow from the pond will not exceed a specified threshold. Each basin will be required to be designed in accordance with City of Hayward and ACFC&WCD standards such that peak post-development flow rates will not exceed pre-development levels. Energy dissipators conforming to City standards will also be installed at the pipe outlets of the detention basins and at other locations where drainage may be concentrated. These control structures will regulate the release of stormwater flow such that it will discharge into the natural swales at a velocity equal to or less than the current condition, thereby avoiding an increase in the risk of downstream erosion.

Each detention basin will also function as a stormwater quality control pond to intercept sediment and pollutants contained in the stormwater runoff prior to it being released downstream. This will be achieved by designing each basin with sufficient capacity to contain the "first flush" stormwater for approximately 24 hours, which will allow sediment and suspended solids to settle to the bottom of the basin.

The Alameda County Flood Control and Water Conservation District (ACFC&WCD) is not willing to take responsibility for maintenance of the proposed detention basins. Improper management of releases from the detention basins could adversely impact downstream riparian habitat by significantly altering water delivery patterns.

Mitigation Measures

The impacts from increased peak stormwater runoff can be mitigated to a level of insignificance through the following measures:

Per Program EIR:

1. The developer shall submit a detailed sediment control plan for City review and approval.

Additional Recommended Mitigation Measures:

2. Prior to approval of the first final map or issuance of a grading permit, perform a detailed hydrologic analysis for the project to determine the design requirements for detention basins and other drainage improvements. Detention basins or other metering devices shall contain the volume and velocity of stormwater discharge such that peak post-development flow rates will not exceed pre-development levels. Design of detention basins and other drainage improvements shall comply with City of Hayward and ACFC&WCD standards and ABAG's Erosion and Sediment Control Handbook.
3. Design detention basins to also function as stormwater quality control ponds to reduce sediment and pollutants from reaching downstream areas.
4. Install energy dissipators at appropriate locations to reduce stormwater velocities and to control soil erosion of downstream areas.
5. With the submission of storm drainage improvement plans, describe in detail how the proposed storm drainage system will comply with recommended NPDES Best Management Practices.

6. The proposed detention basins shall be maintained by the proposed homeowners' association with annual inspections conducted by the City of Hayward. As a condition of approval of the final drainage plan, a detention basin operation and maintenance plan shall be developed by the applicant. The plan shall include specific procedures for operation of the basins, a schedule of required wet and dry weather inspections, and maintenance procedures, such as vegetation control, sediment removal, culvert/channel clearing.
7. The homeowners' association shall submit an annual report to the City's Department of Public Works. The reports shall include wet and dry season inspection reports, documentation of removed sediment disposal (if any) and discussion of any required amendments or modifications to the operations and maintenance plan. The City shall review the annual reports and schedule inspections of each detention basin each year prior to the rainy season to ensure the provisions of the operation and maintenance plan are being implemented.
8. Implement additional mitigation measures described under Section 1, "Geology and Grading" and Section 3, "Water Quality" to mitigate water quality and grading impacts from construction and operation of the project.

E. Other Utilities: FAA Facility

Setting

The Federal Aviation Agency (FAA) currently leases a site for a radar microwave link repeater (RMLR) near Hayward Boulevard. The lease expires in September 30, 1999. But FAA staff has stated that the facility is critical for air traffic operations in the San Francisco Bay area and that they will need the facility for many more years. They are currently negotiating with the owners to either enter into another long term lease or to purchase the property. It is therefore likely that the facility will remain in its current capacity in the future.

Impacts

The Federal Communications Commission (FCC) regulates radio frequency radiation emissions. The FCC has adopted the 1992 guidelines for protection against radio frequency field exposure, as published by the American National Standards Institute of Electrical and Electronic Engineers (IEEE) [C95.1] and the National Council on Radiation Protection and Measurement (NCRP), Report #86.

Many governmental agencies, scientists, engineers and professional associations have conducted studies of exposure levels due to radio frequency emissions from transmitter facilities. The levels have been found to be typically thousands of times below the level considered to be safe by expert entities. The level of electromagnetic energy generated by this facility cannot ionize or alter the molecular structure of living tissue and has not been proven harmful to humans. As a precautionary measure, however, to minimize electromagnetic radiation exposure from the facility, staff recommends placing dwellings at least 100 feet from the facility.

Additionally, the FAA facility could be considered unattractive and visually incompatible in a residential setting. The proposed single-family residences located nearest the facility would be most directly impacted by the facility. To the extent feasible without impairing the operation of the facility, the view of the structure should be buffered with landscaping. Staff recommends providing a minimum average 25-foot-wide landscape buffer around the facility to reduce the visual impact.

Mitigation Measures

The potential public safety and visual impacts associated with the FAA facility can be mitigated to a level of insignificance with the following measures:

1. Prior to approval of a precise plan or the first final map, the applicant shall submit a radio frequency radiation monitoring report for the review and approval of the City showing that the facility will not expose the residents or the general public to emissions that exceed FCC guidelines.
2. The precise plan and improvement plans shall include details for a security wall or fence and a minimum average 25-foot-wide landscape buffer around the FAA facility for public safety and reduction of the visual impact. The fence/wall and landscaping shall not interfere with the operations of the facility.
3. No single-family residence shall be constructed within 100 feet of the FAA facility, unless otherwise approved by the City and FAA following review of the findings in the above referenced monitoring report.

15. ENERGY USE

Setting

Energy use on the site is presently low since the site is only used for cattle-grazing.

Impacts

The Program EIR identified that development on Walpert Ridge will have an unavoidable significant impact on energy use. Construction impacts relate to the consumption of energy (diesel fuel and gasoline) for site preparation and grading operations and for the construction of all improvements on the site. The Program EIR estimated energy use from construction activities based on generic energy consumption factors.

The operation of the project would affect energy consumption by creating an incremental increase in the demand for gas and electricity. Operational impacts relate to the expenditure of energy for operation and maintenance of utility infrastructure and the consumption of gasoline and diesel fuel from vehicles.

Infrastructure modifications and additional transmission and distribution lines would be required to serve the proposed development. PG&E has indicated that two new transformers and switches will be required to serve development on Walpert Ridge. A new underground gas distribution system would also have to be constructed on the site. Additionally, the existing 4-inch gas line in Hayward Boulevard may need to be increased in size to a 6-inch line, as determined by PG&E.

The proposed project falls within the range of development alternatives evaluated in the Program EIR. Therefore, the mitigation measures identified in the Program EIR for reducing energy use are applicable for the proposed project.

Mitigation Measures

The impacts related to energy use will be reduced to an insignificant level by requiring compliance with the following mitigation measures:

Per Program EIR:

Dwellings:

- a. Encourage the use of solar collectors for space and water heating to reduce natural gas consumption on the site.
- b. Consider solar exposure and wind conditions in the orientation of buildings.
- c. Consider shadow patterns when siting building on lots, and establish building setbacks that will minimize shading of adjacent buildings.
- d. Require the developer to install energy-efficient appliances (i.e., free-standing stoves, refrigerators, etc.)
- e. Install flow-restrictors on sinks and showers to conserve hot water.

- f. Minimize the total amount of concrete and asphalt paving. These areas collect and re-radiate heat from the sun. Ground cover and trees, in place of paved areas, cool the air in summer and shield structures from wind, thus reducing heating requirements in winter.
- g. Use light-colored architectural treatments on interior surfaces to reflect more light, reducing lighting requirements and increasing apparent light. Consider using skylights to reduce or eliminate the need for lighting. For exterior lighting, use low-sodium lamps that require less energy than other types of outdoor lighting.

Transportation (Amended):

- h. Coordinate with AC Transit to provide a transit stop with shelter to serve the development.
- i. Provide sidewalks throughout the development and pedestrian connections to the adjacent school and park facilities to encourage people to walk, rather than drive.

Additional Recommended Mitigation Measures:

None

16. AESTHETICS

Setting

The project is primarily visible from long-range views of greater than 3.5-miles (vicinity of I-880), and from short-range views of under one-mile. At intervening distances, the site is obscured by foothills in the foreground. From the vicinity of I-880, the project site is barely discernable; Walpert Ridge (located on the Hayward 1900 property) rises above the site and serves as a backdrop.

Short range views of the site are available from several vantage points. Views of the ridgeline and hill face are available from Garin/Vista Peak, located within Garin Regional Park about a mile to the southwest. Closer views are available from the surrounding street system, particularly Hayward Boulevard and the upper portion of La Mesa Drive. The dwellings along Barn Rock Drive, Skyline Drive, and Plumas Court will have a direct view of the project. The key features of the site include Bay Trees Knoll, the grove of Eucalyptus trees near Hayward Boulevard, the FAA microwave repeater facility, and various rock outcroppings.

The Walpert Ridge Specific Plan encourages reduced grading and sloped or limited padded lots to promote hillside development which will conform to the natural terrain. The Land Use Plan shows primarily limited padded lots and sloped lots on the Bailey Ranch property varying from 10,000 to 20,000+ square feet. Smaller padded lots (9,000-10,000 square feet) are shown on the less visible interior portions of the site. The Specific Plan also contains design guidelines which would reduce the visual impact of hillside development. Appropriate guidelines address roadway design, site planning, architectural design of dwellings and walls, landscape design, landform grading techniques, and lot grading.

The developer proposes to amend the Specific Plan to allow for primarily padded lots within the project instead of sloped and limited padded lots. To support the requested amendment, the developer has submitted a housing marketing analysis of the Hayward area, prepared by Applied Research Services (January 1996). From a market standpoint, the consultant concludes that split-level housing designs, which are typically constructed on sloped lots, are not appropriate for the site. Because the cost to build a split-level dwelling would be significantly higher than for a dwelling on a pad foundation, the consultant states that the housing price which must be commanded to cover costs would exceed the feasible price range for new housing in the Hayward area. Instead, the consultant recommends a price range of \$310,000 to \$425,000 for the proposed housing product in order to achieve a recommended absorption rate of five home sales per month. This marketing program essentially dictates production housing that depends on the versatility and practicality offered by padded lots.

Impacts

The Program EIR performed a visual analysis that evaluated the visual effect of single-family development on Walpert Ridge. The density and location of housing that was considered in the visual analysis (8,000 to 15,000-square-foot lots) are comparable to the proposed project. Development of dwellings along the ridge would result in the ridgeline being replaced by a continuous silhouette of residential structures. Long-range views are not expected to be significant since the view of the structures will be barely discernible.

With respect to short-range views, the view of single-family dwellings from the surrounding area is not perceived as disruptive since the proposed project is consistent with the adjoining single-family subdivisions in terms of lot size and expected dwelling sizes. Views from Garin and Dry Creek Pioneer Regional Park would be affected. However, the dwellings would be located at least one-mile from Garin/Vista Peak, the high point within the park from which the project would be most visible.

An unobstructed panoramic view of the development will be available from the upper portion of La Mesa Drive, located approximately ½-mile to the west. During the preparation of the Walpert Ridge Specific Plan, a computer simulation of potential development on the Bailey Ranch property was prepared from this viewpoint. Single-family homes were depicted on the simulation that are comparable to the current proposal in terms of location and size. The computer simulation shows that from this viewpoint, the grasslands on the lower hill face would be visible above the existing homes on Skyline Drive, and the distant dwellings on the Bailey Ranch property would line the upper hill face above the grassland slope. The upper elevations of Walpert Ridge would provide a natural backdrop for the development. This backdrop would mitigate the appearance of the structures if the dwellings are sensitively designed and building materials and colors are selected that will blend into the hillside. Design guidelines have been proposed by the developer that address building design, colors, and materials.

Along Hayward Boulevard, the rear elevation of dwellings will be visible from the street. The potential negative appearance of these homes can be mitigated through attention to architectural design and detailing. In addition, the developer proposes to provide a landscaped setback (includes multi-use pathway) along Hayward Boulevard varying from 36 to 50 feet wide that will allow for significant landscape buffering. Other mitigating features include a significant landscaped entry, decorative fencing, and the preservation of a 250-foot-wide view corridor to the permanent open space opposite Barn Rock Drive.

Another potential visual impact relates to the appearance of the engineered slopes within and around the project. A large 40-foot-high slope is proposed within the interior of the project. The Specific Plan recommends a maximum height of 35 feet for cut or fill slopes. Although the proposed slope exceeds this guideline, the slope would be located between two rows of lots and would be mostly concealed by the proposed two-story homes on the lower pads. The most visible graded slopes would be located along the western perimeter of the development. In order to create the desired padded lots and to provide slope stability (per the recommendations of the geotechnical report), an engineered slope varying from 20 to 40 feet in height is proposed along the rear of Lots 48 thru 64. Grading would also extend down into the drainage swales at two locations: behind Lots 64-68 and Lots 44-46. The appearance of these graded slopes could be significant unless properly mitigated. Mitigation measures are recommended below to reduce the visual impact of grading. Many of these measures are included in the design guidelines proposed by the developer.

Mitigation measures suggested in the Program EIR to reduce the visual impact of hillside development include: 1) avoiding a monotonous linear arrangement of dwellings; 2) limiting the height of structures; 3) avoiding emphatic vertical landscape elements such as tall trees; 4) preserving the existing topography, vegetation, rock outcroppings and other important natural features; 5) promoting clustered housing and using the existing terrain to screen development; and 6) encouraging development which retains substantial sections of Walpert Ridge as open space. Because of the linear nature of the proposed development envelope, which essentially follows the ridgetop and upper hillface, avoiding a linear appearance of dwellings will be difficult. Mitigation measures are recommended below to reduce the potential negative perception of a row of homes on the ridge. Further, the site topography is such that dwellings cannot be sited to be screened by the existing terrain. Finally the development will be "clustered" to allow approximately 85 percent of the property to be preserved as open space.

Mitigation Measures

The visual impacts of the proposed project can be mitigated to a level of insignificance through the following mitigation measures:

Per Program EIR:

- a. Implement Hayward General Policies Plan policies to preserve existing topography, vegetation, rock outcroppings and other important existing natural features of the main ridge crest and upper hill faces of Walpert Ridge.
- b. Encourage development that retains substantial sections of Walpert Ridge as open space.

Additional Recommended Mitigation Measures:

- c. Enforce the applicable design measures in the Walpert Ridge Specific Plan and, where feasible, the design guidelines in the Hillside Design and Urban/Wildland Interface Guidelines to improve the architectural design and visual character of the proposed hillside development.

- d. To mitigate the graded slopes, submit grading and improvement plans that incorporate; where physically feasible: 1) landform grading techniques (e.g. varied slope gradients and gradual slope transitions); 2) informal landscaping buffers with emphasis on native, drought-tolerant, fire-resistant plants; 3) vegetated or rock-lined drainage swales; and 4) use of existing on-site boulders and rock outcroppings. Additionally, grading plans shall be revised to reduce the vertical height of the graded slope along the western perimeter of the development by limiting the depth of the level housing pads which abut this slope to a maximum of 100 feet deep or less (applies to lots 44-46 and 55-68). To reduce the height of the interior graded slope, explore the feasibility of creating split-level pads on the lower row of lots (i.e., 83-95).
- e. For the dwellings with highly visible rear elevations, particularly abutting Hayward Boulevard, the future school/park site, and along the western perimeter of the development, the rear elevations shall be designed with sufficient wall and roof off-sets to avoid large flat wall surfaces and uniform roof lines. Variations in building setbacks and rear elevations shall also be implemented to minimize, to the extent possible, the uniform and linear appearance of dwellings along the ridgeline.
- f. For dwellings located along Hayward Boulevard, the proposed school/park site, and the western perimeter of the development, landscaping shall be proposed in the adjacent common area and/or within the private rear yards to buffer the view of the dwellings. Trees and shrubs with forms that blend with the surrounding native vegetation shall be emphasized.

17. CULTURAL RESOURCES

Setting

As described in the Program EIR, the Institute of Cultural Resources at California State University, Hayward (CSUH), conducted an archaeological reconnaissance of the entire Walpert Ridge planning area in 1978. This survey was confirmed by David Chavez and Associates in 1985. The majority of the ridge area was identified as having very high to moderately high sensitivity for the potential occurrence of cultural resources. The 1978 field investigation resulted in the recording of 16 cultural resources, of which two are located on the Bailey Ranch property. A subsequent field investigation and report for the Bailey Ranch property, prepared by David Chavez and Associates in April 1990, revealed an additional potentially significant cultural resource. The three sites identified on the property consist of the following:

- CA-Ala-399 - A prehistoric site consisting of a small midden (refuse heap) located on a creekside terrace in a sheltered canyon. The site is located at the south end of the property over 1/2-mile from the proposed development and would not be impacted by construction activity.

- **CA-Ala-403H** - A historic period sandstone quarry site consisting of rubble and evidence of drill and cleavage marks on some boulders. The site is located at the head of a drainage within a riparian and oak woodland environment at the eastern portion of the property. The proposed development will not encroach into the site.
- **CA-Ala-513** - A prehistoric site consisting of a bedrock mortar feature with five mortar holes located on a sandstone outcropping at the eastern portion of the property. The site is located at the edge of the proposed development and could potentially be impacted by grading operations.

Impacts

As stated above, the proposed development would not impact the first two sites, but could potentially impact the third site (CA-Ala-513). The consultant states that "the potential importance of this site is diminished by the lack of associated cultural deposits and features that would suggest a complex archeological resource, capable of rendering data relevant to regional research considerations." The bedrock mortar feature alone would not meet the CEQA criteria (Appendix K) as an important cultural resource. However, further subsurface exploration is recommended to confirm that associated midden or other cultural deposits are not present at the site.

The consultant further concluded that sites CA-Ala-399 and CA-Ala-403H do not meet the CEQA criteria as an important archeological resource. No further action is recommended on historic site CA-Ala-403H, but subsurface exploration is recommended for prehistoric site CA-Ala-399 to determine the possible presence of other cultural artifacts.

If either of the two prehistoric sites are found to be significant upon further investigation, the preferred mitigation action would be to preserve the resource. The grading plan may need to be adjusted to avoid disturbing site CA-Ala-513. However, even if direct impacts to the sites can be avoided, indirect impacts may result from disturbance related to increased recreational use of the surrounding open space. Possible protection measures suggested by the consultant include fencing, "capping" (covering) the site with a layer of protective fill, or excavation and relocation. Relocating the artifacts to a park or open space site could enhance the community's appreciation for the history of the area.

Mitigation Measures

The impact of the project on cultural and archaeological resources can be mitigated to a level of insignificance through the following mitigation measures.

Per Program EIR:

Not applicable to project site.

Additional Recommended Mitigation Measures:

- a. Prior to approval of the first final map or grading permit, a subsurface exploration of prehistoric site CA-Ala-513 shall be conducted by a qualified archaeologist to determine the presence of important cultural deposits per Appendix K of the State CEQA Guidelines. If still advised by the archaeologist, a subsurface exploration of prehistoric site CA-Ala-399 shall also be performed. The California Native American Heritage Commission and local Costanoan representatives shall be consulted prior to and during all excavation procedures.
- b. If either site is determined to be significant pursuant to CEQA, a proposal for preservation and protection or excavation and relocation of the resource shall be submitted for City approval prior to approval of the first final map or a grading permit. If excavation and relocation are proposed, salvageable artifacts shall be relocated to an appropriate park or open space site for community benefit as determined by the City.
- c. Prior to approval of the first final map, the developer shall provide written evidence to the City that all photographs, reports, and maps of the historic and cultural resources that are in the his/her possession or control have been deposited and permanently curated at the Hayward Area Historical Society or another appropriate local organization.

Dated: 9/24/97

K:\...\Jeanette\PD94-98.ini



C124919139